

From: [Zac Bowling](#)
To: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Subject: [EXTERNAL] Item 6-B - Against keeping the police tank
Date: Tuesday, March 30, 2021 5:31:28 PM

Dear Council,

When I saw this item originally on the agenda I was surprised.

In June 2020, the council gave direction to staff to start investigating the sale of the militarized police truck. Now 9 months later we are still discussing it.

When I originally read this agenda item as it was posted, it shared that the tank, or Blastic Armored Tactical Transport, or whatever went want to call it, was used 30 times since it was purchased 8 years ago. The item tries to lay out a case for how useful the tank is and how long we would have to wait for a response for neighboring cities to use their vehicles in an emergency.

At first glance, the way the item reads it makes it seem like this investment was worth it. The attached item lists all the case numbers for those times it wasn't utilized.

It wasn't until later that an updated record of its use was posted on the agenda item, apparently after a PRA request. It showed that 27 of these times were for mutual aid assisting other cities and not for Alameda.

Only 3 times in 8 years has the tank been used in Alameda and one of those times was just to use its loudspeaker. Only once, it seems, has it been used for its intended tactical purpose in our city. Other cities have used it ten times the amount we have used it.

I don't want to say that the item as it was originally brought forward was intentionally trying to be deceptive. I respect the staff's work. But this was a pretty glaring omission to exclude initially and it casts doubt on the rest of the item as being fully transparent.

It's was also interesting to discover that this vehicle has been used more in Berkeley than in Alameda and that the Berkeley City Council blocked the purchase of nearly the same vehicle in 2012 because they didn't want to over militarize their police force, a sentiment I understand and agree with. Opting instead to purchase their police department a bulletproof transport van for half the cost in 2016, offering the defensive capabilities the BATT offers without the offensive platform the BATT was built for.

Given this new information, I believe the original purchase of the BATT was a mistake for Alameda in hindsight.

Please move forward with instructing staff to sell this vehicle as was originally asked of staff. Perhaps we can sell it to one of the cities that actually make use of it under an agreement to let us it when we do actually need to use it.

Thank you!

Zac Bowling

From: [Carly Stadum-Liang](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Comment for tonight's city council meeting
Date: Tuesday, March 30, 2021 4:54:30 PM

Hello,

I may be too late but wanted to submit the following comment for tonight's City Council meeting:

Hello Honorable Mayor, Vice Mayor, and City Council Members,

I am an Alameda resident, and am writing in to voice my opposition to APD's push to keep its armored vehicle. I believe that by just having an armored vehicle, even if it is rarely used, its presence at APD bolsters APD officers' mentality that they are engaged in some sort of urban warfare, which then feeds into how they engage with the community, especially those they carry implicit biases against. For that reason alone, choosing to allow APD to keep this vehicle will not make me feel safer in my community. Also, when APD does use the vehicle, I'm afraid that it only serves to escalate situations, actually making those situations more dangerous than they would have been without the use of the armored vehicle. I vote for selling the vehicle, and ensuring our city streets are not patrolled by military grade armored vehicles. Thank you for your time.

Best regards,

Carly Stadum-Liang

From: [Brandon Svec](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Manager Manager](#); [City Clerk](#)
Subject: [EXTERNAL] Opposed to keeping armored vehicle
Date: Tuesday, March 30, 2021 4:53:34 PM

Mayor, Council and Clerk,

Per item 6-B on tonight's agenda I want to voice my opposition to keeping the armored vehicle. I will not be able to speak during the meeting, but want to get these points across and on the record:

I think we should follow through on the previous decision of the council and sell the vehicle. I think it can escalate situations making people feel besieged rather than protected. Staff and funds could be used better elsewhere.

If it is decided to keep the vehicle for safety reasons then it's use should be strictly limited to non violent applications and strong policies should be put in place regarding how it can be used. During a natural disaster or when the vehicle's capacity is necessary to prevent loss of life are good examples.

It should absolutely be prohibited for use in recruitment, promotional activities, crowd control, with any attached offensive device, or during an eviction action. Video recording devices should be on the vehicle and they should be operational during any use of the vehicle. The use of chemical deployment from inside the vehicle should be prohibited.

A written after action report should include, scene supervisor, justification for deployment, location and demographic information about engaged persons, description of arrests, injuries, use of force, or proper damage or complaints. Basically, I feel a very high bar for use should be set and detailed recording and reasoning for use needs to be provided.

Any secondary use once deployed should require new authorization.

Finally, while focus has been on this vehicle, a full audit of any equipment acquired through 1033 or related programs should be conducted and made publicly available immediately. We have the right to know what kind of military grade equipment and weapons our police force has access to and what it is intended for and how it's use is strictly monitored and made publically available.

Cordially,
Brandon Svec
Alameda Resident

From: [Marilyn Rothman](#)
To: [City Clerk](#)
Subject: [EXTERNAL] BATT vehicle
Date: Tuesday, March 30, 2021 9:41:57 AM

As the armored vehicle has been used 3 times in Alameda since its purchase, I strongly urge the Council to sell it, and use the funds for homelessness and mental health response outside the Police Department.

Marilyn Rothman
Alameda resident

From: [Brittney Bridges](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [John Knox White](#); [City Clerk](#); [Tony Daysog](#); [Manager Manager](#)
Subject: [EXTERNAL] Alameda's Safety and APD Equipment
Date: Monday, March 29, 2021 8:21:03 PM

Dear Mayor and City Council Members,

I implore you not to sell APD's armored tactical vehicle. This equipment serves to protect our public safety personnel as well as citizens in our community. This type of equipment is not used frequently however the extreme situations where it is needed inevitably occur. It can save lives...police, fire, and citizens.

Equipment of this nature has been sought and acquired as the result of actual incidents that have occurred in our community, e.g., shootings, barricaded suspects, officers down, high risk operations & search warrants, civil disasters/emergencies, etc..When this type of equipment is needed the community/departments generally don't have the luxury to call and wait for surrounding agencies to supply it, IF they have it and it's available. I would expect the city learned its lesson after needing to purchase water equipment for the Alameda Fire Department after the unlikely but not unimaginable situation they found themselves in with the drowning victim a few years ago. Why dispose of a potentially invaluable asset that has already been acquired and will have absolutely minimal monetary value upon disposition? Such shortsightedness would be unforgivable if it resulted in any loss of life.

Lastly the mere appearance of the BATT and the fact that some people view it as looking too "militarized" is not good enough reason to dispose of it. The Alameda Police Department has proven that they only use it when necessary. Most citizens have never seen it and will never see it. Alameda is fortunate to have the officers we do, they deserve to be treated with respect and appreciation and provided with the protective equipment needed for a difficult and dangerous job.

Sincerely,

Brittney Bridges
510-749-4910

From: mcgavin_ted@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Alameda City Council Meeting of 03/30/2021 - Agenda Item 6-B (Recommendation to Consider Options for APD's Emergency Response Vehicle)
Date: Monday, March 29, 2021 7:26:48 PM

Dear Mayor and Councilmembers:

Please rescind your earlier directive to the City Manager to sell the APD Emergency Response Vehicle.

The City Council (which included Rob Bonta at the time) unanimously approved the purchase of this vehicle on October 2, 2012. At the time, Capt. David Boersma stated that the vehicle was not a military vehicle, it was not a repurposed tank, but rather "It's simply a Ford truck with armored plating on it."

The vehicle is a **defensive** vehicle – its purpose is to shelter police officers and civilians in the event of high-risk and potentially deadly encounters. It has been used for that purpose in Alameda and in neighboring cities. It should be noted that it was **not** used during the many protests in Alameda during 2020.

I understand that shootings have been on the rise in our City over the past few years: 6 in 2017, 7 in 2018, 3 in 2019, 17 in 2020, and 4 in January 2021. In 2020, there was a particularly scary incident of automatic weapons being used on Park Street (near City Hall) at lunchtime.

If we sell the APD Emergency Response Vehicle (ERV) and a similar incident occurs in the future where the shooters have more ammo and decide to shoot it out with APD, how many Alameda civilians and police will be killed before a neighboring city responds with their ERV?

Such things do happen in nice places like Alameda:
<http://www.cnn.com/US/9702/28/shootout.update/> (the North Hollywood Shootout of 1997).

Please reconsider and rescind your earlier directive to sell the APD Emergency Response Vehicle.

Thank you for your consideration,

Ted McGavin

mcgavin_ted@comcast.net

From: [Gig Codiga](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Saving and Protecting Lives - Keep the Armor Unarmed Truck
Date: Monday, March 29, 2021 7:31:49 AM

Retain the existing Armor but unarmed Ford Truck! This tactical tool **is not a military** assault weapon but a **very important life saving resource** for our citizens and brave police officers.

Why? The simple question is: does the BearCat armor vehicle **save lives and diffuse dangerous situations**. The answer is **YES**.

How does this unarmed vehicle by **allowing our professional police officers to enter a shooting arena and safely extract/remove victims**, citizens, police officers. All without risking the lives of the police officers. Additionally, its presence is a large deterrent allowing for an active situation to disfuse.

Oh, we could dump our truck, then in a real live hostage or hostile life threatening situation we run over to a neighboring police department (who smartly kept their armor vehicle) and borrow their "BearCat". However, while we wait the 30 or long minutes, if it is available, **how many lives do we risk WAITING?** one, two, you, me, your neighbor, your friend?.

Keep Alamedan and non-Alamedans safe and alive.

Retain the armor Ford truck

One life saved / one diffused shooting event justifies retaining this valuable tool.

Best Regards
Be Well

Gig Codiga

From: [rock harmon](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] Alameda Bearcat
Date: Sunday, March 28, 2021 12:50:35 PM

Dear Mayor and members of the City Council:

I am writing you to encourage you to support the Alameda Police Department, and the citizens of Alameda, by deciding to retain their Bearcat tactical vehicle. Vehicles such as the Bearcat are meant to be used only in extreme situations such as have already occurred in various parts of our Country. Fortunately there has not been such a need in Alameda. I understand that it has seldom been used. We certainly hope it stays that way.

Those who oppose it do so by stating the police department is being "militarized". Sadly our military has been pressed into duty in recent months to restore order in those locales that need the assistance. To ignore the needs of peaceful citizens is to ignore reality. This vehicle is not surplus military equipment, it is simply a tool to be used in violent confrontations to help maximize everyone's safety.

Your decisions often strike a balance between private interests versus public safety. Quite often the questions are why versus why not. In this setting the choice to keep the Bearcat seems clear, when compared to the feelings of those few are offended by its presence.

I look forward to watching your discussion this week, and the future discussions on other pressing issues.

Regards,
Rockne P. Harmon
2846 Lincoln Avenue
Alameda, CA 94501

From: COLLEENARNERICH@AOL.COM
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] Bearcat
Date: Friday, March 26, 2021 8:21:27 PM

Good Evening,

It has been brought to my attention that there will be a meeting to discuss the sale of the military style vehicle called a Bearcat. To be blunt, I cannot understand why this council seeks to rid the APD of a vehicle that could serve to protect both officers and civilians during a crisis such as that which occurred in Colorado.

I see this vehicle similar to the way I see car insurance, medical insurance, etc... you hope you don't need to use it, but are very glad that you have it in the event of an emergent situation. It's not a vehicle that is being driven around as a show of force; it is a vehicle that we hope will never have to be used, but own as insurance. We shouldn't be dependent on other cities to protect our city, our officers and our citizens.

This vehicle could be the difference between life and death. Do not roll the dice. I ask that you reconsider and do not sell this vehicle.

Colleen Arnerich
Concerned Alameda Citizen

From: [Burny](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] APD Bearcat
Date: Friday, March 26, 2021 1:09:21 PM

Dear Mayor and members of the City Council:

I strongly urge you to not sell but retain the police department's Bearcat tactical vehicle which which I understand is being considered to put up for sale. Simply stated, the lives of officer's and citizen's can be saved under extraordinary situations and conditions. For example, should an officer or citizen be shot and bleeding out during an active shooter situation this vehicle is the only and safest way to attempt rescuing those injured victims. Is it often used? No, however neither are home fire insurance policies but they sure are handy when tragedy occurs. This vehicle is fully paid for thus the maintenance costs are minimal.

This vehicle is not surplus military equipment and not indicative of any "militarization" of the department. It is simply a tool to be used in violent confrontations to help maximize officer as well as citizen safety. As your former chief of police with nearly forty years of law enforcement experience I beg you to retain this infrequently used but terribly important piece of safety equipment. Our officers certainly deserve it.

Burny Matthews
556 Kings Road
Alameda
Alameda Police Chief (retired)

From: [Rich Sherratt](#)
To: [City Clerk](#)
Subject: [EXTERNAL] public safety
Date: Friday, March 26, 2021 11:12:19 AM

Dear Madam Mayor and members of the City Council,

I am greatly alarmed that you may be considering the sale of the Police Departments, Bear Cat. You seem to react to events which happen elsewhere without regard to the safety of our citizens or Police Officers. If you get rid of the Bear Cat, which is already paid for, you endanger us to not being able to respond to an emergency situation. Given what has recently happened in Georgia and Colorado it would remove an insurance policy against some unforeseen circumstance. We have nothing to lose by keeping it available for emergency.

Please use common sense in a world that appears to be losing it. Thank you.

Dr. Richard H. Sherratt
Former Vice Mayor

From: [Ashley Mullins](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [City Clerk](#)
Subject: [EXTERNAL] Armored Vehicle
Date: Tuesday, March 16, 2021 4:34:17 PM

Dear City Councilmembers,

I am writing to urge you to follow through on your original 2020 directive to the City Manager to sell Alameda's armored vehicle. The Police Department has made an attempt to subvert the will of the council, and they have not offered a persuasive argument for keeping the armored vehicle. The vehicle has been used only three times in the city of Alameda in the past 9 years, so it seems wholly unnecessary that our city continue to possess it and fund its upkeep. The majority of APD's calls are nonviolent in nature; our police department's gear and spending should be reflective of this fact. Please vote to uphold the original council directive to sell the armored vehicle.

Kind regards,
Ashley Mullins
Alameda Resident

From: [JeffreyLewis](#)
To: [City Clerk](#)
Subject: [EXTERNAL] 3/16/21 City Council Meeting - agenda item 6-B
Date: Tuesday, March 16, 2021 4:05:03 PM

I am writing as a resident of Alameda to urge the city council to follow through with the removal of the armored ballistic vehicle from the Alameda Police Department. The police in our country have been excessively militarized as a by-product of the racist and imperialist "War on Terror". Removal of this kind of vehicle is a step toward the demilitarization of our nation's police. The Alameda Police Department has no need for military armament and I do not trust them to use this for the public good. The primary time in which most people interact with armored police vehicles is when they are used to intimidate nonviolent demonstrators who the police disagree with.

Please get rid of the APD's armored ballistic vehicle.

Thank you,

Jeff Lewis

Sent with [ProtonMail](#) Secure Email.

From: [Meredith Hoskin](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Comment for March 16 City Council Mtg | Agenda Item 6-B Police Armored Vehicle
Date: Saturday, March 13, 2021 11:23:37 AM

Dear Alameda City Council Members,

I'm writing with public comment on agenda item 6-B, "Recommendation to Consider Options for the Alameda Police Department's Emergency Response Vehicle." As an Alameda resident, I want to **urge City Council to proceed with the decision made last year to sell APD's ballistic armored vehicle** and remove it from our community, for the following reasons:

- In June 2020, City Council voted unanimously for APD to cease funding toward armored vehicles and directed the City Manager to proceed in selling the one currently owned by APD. I worry about the precedent it could set and the community's perception of proposed actions by our elected and city leaders if this important decision is reversed, especially as the local and national conversation that fueled the city's decision to make this decision hasn't changed since last year.
- Following the larger, ongoing discussions around policing in our community, it's my understanding the police are eager to build better trust among more residents in Alameda. I'm concerned that if APD continues to own and deploy this ballistic armored vehicle, it won't help them achieve this goal. The vehicle is threatening, designed for longer-range shooting, unnecessary according to the data use, and ultimately presents APD as militarized law enforcement.

In Alameda, we need to take action and be a city of example in this moment where there's still a national conversation on how we can evolve policing that better suits everyone in our community. A good start is to follow through on your decision to de-militarize our law enforcement.

Thank you,
Meredith

Meredith Hoskin
meredithmawilliams@gmail.com
541-554-5414

City Council
City of Alameda
2263 Santa Clara Avenue
Alameda, CA 94501

March 11, 2021

RE: March 16, 2021 City Council Meeting – Agenda Item 6-B

Dear Council Members,

I write regarding the upcoming City Council meeting, particularly Agenda Item 6-B, the Alameda Police Department's ballistic armored tactical transport (the "ballistic vehicle"), sometimes referred to by the City Clerk as a ballistic armored tactical transport response vehicle.

I thought it would be helpful for you to have readily available the history of the ballistic vehicle, and a timeline of the actions relating to Council actions. Below, I provide that history with citations so that you can refresh your recollections easily. I also provide some relevant provisions of the Alameda City Charter.

Also included are the results of a public information request related to this matter, which have not been shared previously.

Finally, I share my thoughts and analysis. I believe following staff's recommendation to retain the ballistic vehicle would set a dangerous precedent: one where the City Manager is encouraged to disregard City Council's direction, rather than carry out his duty under the charter. It is my opinion that the City Manager has perverted the democratic and political processes through his actions (well-intended as they may be). Therefore, I believe it is critical that you act as a unified block to protect the institution of City Council, and vote to strengthen your direction to sell the ballistic vehicle with haste.

Issue Presented: Agenda Item 6-B

The summary of Agenda Item 6-B states that "The City of Alameda (City) Police Department is requesting the Mayor and City Council reconsider their decision to sell the Emergency Response Vehicle."

Hence, Item 6-B is a "reconsider[ation]" of the City Council's prior action, specifically the unanimous vote on Agenda Item 6-G on June 16, 2020.

Relevant Governing Law: The City Manager's Duty Under the Charter

The City of Alameda City Charter provides in Article VII Section 7-2 that:

The City Manager shall have the power and it shall be their duty: (A) To administer and execute policies and undertakings formulated by the Council.¹

¹ City of Alameda City Charter, art. VII sec. 7-2,
<https://www.alamedaca.gov/files/assets/public/departments/alameda/city-clerk/documents/2020-alameda-city-charter.pdf>.

To my knowledge, Section 7-2 does not include any exceptions. One can imagine that the City Manager would not have a duty to break the law, even if directed by Council. However, there are no exceptions to Section 7-2 for legal undertakings formulated by the Council. The City Manager is a professional civil servant charged with implementing the political decisions of Council, whether they be wise or foolish, whether the City Manager agrees with them or not.

Factual Background: Purchase and Disposition of the Ballistic Vehicle

Purchase of the Ballistic Vehicle: October 2, 2012, Special and Regular City Council Meetings

During the regular City Council meeting of October 2, 2012, Councilmember Tam pulled consent calendar item 5-C (*i.e.*, Recommendation to Authorize the City Manager or His Designee to Enter into Purchase Agreements Not to Exceed \$302,000 for the Replacement of Ten Police Department Vehicles and not to Exceed \$174,000 for One Special Response/Rescue Vehicle). Councilmember Tam sought to have staff provide some context for the public regarding the purchases in light of some contemporaneous controversies about police funding, and accounting methods.² She also stated that neighboring cities had experienced five homicides within the 18 hours prior to the Council meeting and that therefore the APD needed the best training and equipment, and that she wanted the community to understand the need for the ballistic vehicle.³

Capt. David Boersma, head of APD Bureau of Services, provided a brief oral report to Council.⁴ He stated that APD talked to other jurisdictions about sharing the ballistic vehicle, namely San Leandro. According to Capt. Boersma, San Leandro Police Department was not interested in sharing the ballistic vehicle because it wanted its own.⁵ Capt. Boersma stated that the ballistic vehicle was not a military vehicle, it was not a repurposed tank, but rather “It’s simply a Ford truck with armored plating on it.”⁶

There was one public commenter who spoke on the fiscal impact.⁷ Councilmember Tam then moved to approve the item as recommended by Staff; Councilmember Bonta seconded; the Council approved the item unanimously.⁸

² Special and Regular Meetings of the Alameda City Council (Oct. 2, 2012), at 21:00, *et seq.* http://alameda.granicus.com/MediaPlayer.php?view_id=6&clip_id=1022&meta_id=36475.

³ *Id.* at 22:30, *et seq.*

⁴ *Id.* at 26:17, *et seq.*

⁵ *Id.*

⁶ *Id.*

⁷ Minutes October 2, 2012 at 3, <https://alameda.legistar.com/View.ashx?M=A&ID=257530&GUID=393B3A64-7EDD-40CE-868B-8886B5C3B4F7>.

⁸ *Id.* (At the time, City Council was composed of Mayor Gilmore, and Councilmembers Bonta, deHaan, Johnson, and Tam.)

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City Manager John A. Russo, by Chief of Police Michael C. Noonan, submitted a memorandum in support of Item 5-C.⁹ The memorandum attached a purchase order and description of the ballistic vehicle from the vendor, the Armored Group, LLC. The features of the ballistic vehicle include:

“Gun port Package: (11) Ballistic gun ports

...

Non Rotating Roof Hatch: Includes armored, flip forward lid; Gun Port in Lid
Sniper Step”¹⁰

The website of the Armored Group, LLC also includes additional information.¹¹ Of the BATT-S, the website states that a feature of the BATT-S is “Long Gun Optic Ready Gun Ports: Allows for use of optics from inside protective cover of vehicle; **specifically designed to assist in long gun deployment**”.¹²

Disposition of the Ballistic Vehicle: June 16, 2020, Special City Council Meeting

Nearly 8 years later, during the special City Council meeting of June 16, 2020, the City Council heard many public comments on agenda item 6-G (*i.e.*, 2020-8035, the Adoption of Resolution Approving and Adopting the City of Alameda Operating and Capital Budget Mid-Cycle Update for Fiscal Year 2020-21). At that special meeting, Councilmember Vella moved to approve the budget “with the following direction”:

6) [the Police Department] the budget is approved with the following stipulations: . . . 4) in an effort to demilitarize our Police Department, **funds allocated to APD may not be used to purchase, procure, or maintain military grade equipment, such as tear gas, armored vehicles, etc.**,¹³

Although Councilmember Daysog expressed support for retaining the ballistic vehicle, the motion carried by five (5) ayes.¹⁴ That is, the action was unanimous.

The City Manager Confirms Disposition: June 17, 2020, Special City Council Meeting

The next evening, June 17, 2020, the City Council held a second special City Council meeting. That special meeting included a presentation by APD Chief of Police Paul Roller and more robust public comment.

⁹ See Exhibit 2 to Agenda Item 5-C at 20,
http://alameda.granicus.com/MetaViewer.php?view_id=2&clip_id=1022&meta_id=36476.

¹⁰ *Id.* at 22.

¹¹ See generally <https://www.swat-vehicles.com/> and <https://www.armoredcars.com/>.

¹² <https://www.swat-vehicles.com/batt-s-vehicle.php> (emphasis added) (last viewed March 3, 2021). Note, this description is for the latest model BATT-S and it is not clear to me whether the “Long Gun Optic Ready Gun Ports” are the same as the “Ballistic gun ports” on the purchase order for APD’s ballistic vehicle.

¹³ Minutes June 16, 2020 at 19, <https://alameda.legistar.com/View.ashx?M=M&ID=791968&GUID=0DAF4193-A228-4BF2-AE5F-24475742B117>.

¹⁴ *Id.* at 21. (At the time, City Council was composed of Mayor Ezzy Ashcraft, and Councilmembers Daysog, Knox White, Oddie, and Vella.)

After public comment, Councilmember Vella requested clarification of actions taken at the June 16, 2020 Council meeting.¹⁵ According to the minutes, the City Manager replied in pertinent part:

The City Manager stated . . . [the June 16 direction required him to] begin a process to sell the ballistic armored tactical transport response vehicle and return to Council with policies which outline collaboration with regional partners for the rare occasion such a vehicle would be needed in an effort to demilitarize APD; funds allocated to APD may not be used to purchase, procure or maintain military grade equipment such as teargas or armored vehicles . . .¹⁶

To reiterate, the minutes from June 17, 2020, mention three directions to the City Manager relevant here (reordered from above for clarity):

- 1) First, the City Manager was directed to begin a process to sell the ballistic vehicle;
- 2) Second, the City Manager was directed not to spend any funds allocated to APD to purchase, procure or maintain the ballistic vehicle;
- 3) Third, the City Manager was directed to collaborate with other regional law enforcement agencies to come up with a plan to borrow an armored vehicle when necessary.

Below I provide additional facts about subsequent actions taken by the City Manager related to these three directions from City Council. I also provide some analysis, which is solely my opinion as a resident of Alameda and your constituent.

First Direction: Begin a Process to Sell the Ballistic Vehicle

Five Months Later, the Ballistic Vehicle Had Not Been Sold: November 10, 2020, Police Reform and Racial Equity Committee: APD Speaker Series

Approximately 5 months later, the City hosted a three night “APD Speaker Series” online via Zoom and YouTube. These meetings were part of the work of the Police Reform and Racial Equity Committee.¹⁷ During the meeting of November 10, 2020 (called the “APD Speaker Series Meeting 1: APD Policies and Training” on the City’s website¹⁸), APD Captain Matthew McMullin admitted the ballistic vehicle had not been sold.¹⁹ He said, “Yes, we do have an armored vehicle.”

When Public Information Officer Sarah Henry posed (on behalf of resident) a follow-up question about the City Council’s action on June 16, 2020, to sell the ballistic vehicle, Captain McMullin offered a

¹⁵ Minutes June 17, 2020 at 12, <https://alameda.legistar.com/View.ashx?M=M&ID=793698&GUID=CFDDDD5A6-37AE-4BDA-A817-D2EFAE25D3D0>.

¹⁶ *Id.* at 12.

¹⁷ See generally <https://www.alamedaca.gov/policing> (information on the Police Reform and Racial Equity Committee)

¹⁸ <https://www.alamedaca.gov/Shortcut-Content/Events-Activities/APD-Speaker-Series-Meeting-1-APD-Policies-and-Training>.

¹⁹ See “11/10 APD Speaker Series: APD Policies and Training” at 52:22, *et seq.*, <https://youtu.be/LFJvJbEwt-U?t=3142>.

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pregnant pause followed by nervous laughter, and finally “I wou—, I think I should defer to the City Manager, but perhaps—I don’t want to overstep.”²⁰

The City Manager then stated:

Yeah, so there’s been a staff report put together that’s going to be going back to Council for consideration on that. Just so that **when a determination to sell it is, that they understand, they understand the upsides and downsides of that.** So that’s going back on a future council agenda.²¹

The City Manager’s comments on November 10, 2020, implied that Council’s action of June 16, 2020 was not determinative on the question of whether to sell the ballistic vehicle. However, as the minutes of June 17, 2020 demonstrate, the City Manager previously understood Council’s action to be decisive and clear. Yet, nearly 5 months later, the City Manager was publicly re-casting Council’s actions as deliberative not determinative.

At another point during the “APD Speaker Series”, one of the speakers stated that City funds were used to provide routine maintenance to the ballistic vehicle at least one point after Council’s explicit direction that “funds allocated to APD may not be used to purchase, procure, or maintain military grade equipment, such as tear gas, armored vehicles, etc.”²² Later, Finance Director Annie To stated that \$104.75 was spent on the ballistic vehicle.²³

Analysis and Commentary: A Slow Beginning

As noted above, the admission that the ballistic vehicle had not been sold and had been maintained 5 months after Council voted to sell and cease maintenance, was shocking. I acknowledge that Council voted to direct the City Manager to “start” the process of selling, however, at the time I attributed this direction as Council’s embrace of our professional city management. In other words, Council did not direct to sell immediately because, I imagine, Council thought that the City staff needed to draft a resolution disposing of the vehicle, investigate whether laws and regulations govern the disposition of the ballistic vehicle, etc. In short, the Council made clear it’s policy, but left the implementation to the City Manager and Staff.

But what appears to have actually happened is that the City Manager and APD thought that Council made a bad decision, and therefore took—based on what I’ve reviewed—no objective steps to “start” the process of selling the ballistic vehicle. In short, the City Manager and APD sought to delay the process so as to influence policy.

²⁰ See “11/10 APD Speaker Series: APD Policies and Training” at 56:27, *et seq.*, <https://youtu.be/LFJvJbEwt-U?t=3387>.

²¹ *Id.*

²² I have not been able to locate the video of this admission because even I have limits and tire of re-watching videos on YouTube. See also Minutes June 16, 2020 at 19, <https://alameda.legistar.com/View.ashx?M=M&ID=791968&GUID=0DAF4193-A228-4BF2-AE5F-24475742B117> (prohibiting the use of funds to be spent on the ballistic vehicle).

²³ See Memorandum from Annie To, Finance Director, to Honorable Mayor and Members of the City Council (February 18, 2021), <http://alameda.legistar.com/gateway.aspx?M=F&ID=a0cfa0b2-f9af-474e-9923-3be0b434732a.pdf> (stating that \$104.75 was spent on maintenance for the ballistic vehicle).

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In fairness to APD and the City Manager, I can understand their difficulty. As professionals, they view Council's action as taking away a tool they think is necessary to complete their duties. Nevertheless, it is fully within the City Council's purview to decide to take away any tools it wishes, ballistic or otherwise. Here that direction was clear and unambiguous.

If the City Manager or APD wished Council to reconsider, he or APD should have brought the issue up in a timely manner. That is not what happened. Instead, it seems to me that a verbal blunder by the honest and straightforward Captain McMullin lifted the rug on the City Manager's plan to delay the sale indefinitely. The City Manager's indefinite delay tactics may have gone unnoticed had Alameda residents been less observant. And indeed, the City Manager's indefinite delay may still succeed, depending on how you vote on Item 6-B. I urge you to reaffirm the disposition of the ballistic vehicle as a strong rejection of the City Manager's needless delay.

Second Direction: Prohibition on Spending on the Ballistic Vehicle

Spending on the Ballistic Vehicle Occurred: December 1, 2020, January 19, 2021, February 2, 2021, and February 16, 2021 City Council Meetings

During the regular City Council meetings of December 1, 2020,²⁴ January 19, 2021,²⁵ February 2, 2021,²⁶ and February 16, 2021,²⁷ I made public comments related to the ballistic vehicle. Some of these comments were during the Oral Communications (Non-Agenda) section of the meeting. Others were related to consent calendar items related to bills for ratification. And one was related to the Interim Chief of APD's update.

Out of these repeated public comments came some additional information. For example, an exchange between the Mayor and the City Manager at the January 19, 2021 City Council meeting demonstrated that the City Manager could not attest that bills presented for ratification were in fact compliant with the Council's prior action.²⁸ A similar exchange occurred between Councilmember Herrera Spencer and the City Manager at the February 16, 2021 City Council meeting.²⁹

²⁴ See Minutes December 1, 2020, at 4,
<https://alameda.legistar.com/View.ashx?M=M&ID=748510&GUID=9C6816CA-5271-4BB9-AD1D-F9323D1AA081>.

²⁵ See Minutes January 19, 2021, at 28-29,
<https://alameda.legistar.com/View.ashx?M=M&ID=817834&GUID=DB8C994A-E471-45EE-B459-A825C79DA823>.

²⁶ See Minutes February 2, 2021, at 21,
<https://alameda.legistar.com/View.ashx?M=M&ID=823580&GUID=E44E4504-4CE4-4F79-AABC-910A545BD882>.

²⁷ See City Council Meeting of February 16, 2021, at 24:24, *et seq.*
http://alameda.granicus.com/MediaPlayer.php?view_id=6&clip_id=2728.

²⁸ See Minutes January 19, 2021, at 29,
<https://alameda.legistar.com/View.ashx?M=M&ID=817834&GUID=DB8C994A-E471-45EE-B459-A825C79DA823>

²⁹ See City Council Meeting of February 16, 2021, at 25:34, *et seq.*
http://alameda.granicus.com/MediaPlayer.php?view_id=6&clip_id=2728.

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In response to the exchange at the January 19, 2021, Finance Director Annie To prepared a memorandum for the bills when re-presented to City Council for ratification on February 2, 2020.³⁰ Her memorandum stated that \$104.75 was spent on the ballistic vehicle.³¹ A memorandum accompanied the bills for ratification presented to Council on February 16, 2020, however, it made no mention of the prior council action.³²

Analysis and Commentary: Council's Direction Was Not Properly Implemented

If the delay by the City Manager was shocking, even more so was contradicting the direction on a budget resolution. I did not intend by my public comment regarding bills for ratification to catch the City Manager unawares. I assumed that all Council directions are turned in to memoranda to Staff and these are circulated; and that, therefore, when Council voted on June 16, 2020 not to spend another dime on the ballistic vehicle (or other military equipment), a memo would have been circulated to all relevant staff on the issue. Maybe this did happen here. But if the City Manager had sent such a memo directing all relevant departments on the ballistic vehicle, then he would have presumably been more sure-footed in his replies to my public comments, the Mayor's follow-up question, and Councilmember's Herrera Spencer's follow-up question.

Given that spending in direct contradiction of Council's direction occurred, I can only speculate why such spending occurred. But without any explanation from the City Manager on how this mistake happened (and what would prevent it from happening in the future), I am personally left to wonder if it was, in fact, a mistake. It seems equally likely that the City Manager did not anticipate selling the ballistic vehicle and therefore he likewise did not anticipate any follow-up on Council's related direction of June 16, 2020, so spending on the vehicle was allowed to continue.

While I have sought to resolve parts of this mystery through a public information request, I was informed that my request would take 4 to 6 weeks and I have received no further information to date.

Third Direction: Collaborate with Other Regional Law Enforcement Agencies

The City Manager's and Staff's External Communications: February 23, 2021, Public Information Request

After reviewing the agenda for the March 2, 2021 regular City Council meeting, I contacted Public Information Officer Sarah Henry on February 23, 2021, with regard to a public information request seeking all communication by the City Manager or Staff related to the ballistic vehicle. (I realize now my request should have been directed to the City Clerk. Nevertheless, Ms. Henry assisted by forwarding my

³⁰ See Memorandum from Annie To, Finance Director, to Honorable Mayor and Members of the City Council (February 18, 2021), <http://alameda.legistar.com/gateway.aspx?M=F&ID=a0cfa0b2-f9af-474e-9923-3be0b434732a.pdf> (stating that \$104.75 was spent on maintenance for the ballistic vehicle).

³¹ See Memorandum from Annie To, Finance Director, to Honorable Mayor and Members of the City Council (February 18, 2021), <http://alameda.legistar.com/gateway.aspx?M=F&ID=a0cfa0b2-f9af-474e-9923-3be0b434732a.pdf> (stating that \$104.75 was spent on maintenance for the ballistic vehicle).

³² See Memorandum from Annie To, Finance Director, to Honorable Mayor and Members of the City Council (February 16, 2021), <http://alameda.legistar.com/gateway.aspx?M=F&ID=c204c2d1-5b65-4d38-87b0-6c7e8bdf2e2e.pdf>.

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request to the City Clerk and others.) After grasping that my initial request would produce a large number of documents and would take months to receive, I narrowed my request on February 24, 2021 by email. That email provided in part:

[I]f I narrow the request to any parties outside the city of Alameda and it's agencies, is it easier? That would be forgoing all intra city discussion.

If it makes sense to talk through this, I am happy to.

On February 26, 2021, Public Information Officer Henry replied to my narrowed request. In pertinent part, her reply stated:

Staff has not identified any external communications regarding the sale of the emergency vehicle in our preliminary search. However, if you would like us to run an email search using more specific terms, please let us know and we can search further.

At a meeting that took place with the City Manager and members of the Police Department approximately 2 months after the June Budget meeting, the Police Department requested that the City Manager return to the City Council to further consider whether to sell the emergency vehicle. The City Manager decided to return to Council but with the intent to wait until after the Subcommittee recommendations were finished.

My narrowed public information request did not include any intracity discussion, yet, what Ms. Henry's reply to my request indicates is that the City Manager and/or Staff did not contact **anyone** in writing outside the City with regard to the ballistic vehicle between June 16, 2020 and the date of my request (February 26, 2021). Recall that the direction provided to the City Manager on June 16, 2020 was to "begin a process to sell the ballistic armored tactical transport response vehicle and return to Council with policies which outline collaboration with regional partners for the rare occasion such a vehicle would be needed in an effort to demilitarize APD."³³

Had the City Manager started the process to sell the ballistic vehicle, he (or staff) would have likely needed to contact a broker or similar service provider to facilitate. Similarly, had the City Manager sought to develop policies which outline collaboration with regional partners for borrowing an emergency vehicle when necessary, the City Manager (and/or staff) would have needed to contact neighboring police departments regarding a new collaborative policy. Ms. Henry's response of February 26, 2021 demonstrates that no such communications transpired, or at least there is no record of such communications.

Analysis and Commentary: Where Is the Backup Plan?

Of all the directions by Council on June 16, 2020, the direction to collaborate with other regional law enforcement agencies to come up with a plan to borrow an armored vehicle was the most practical. (Though, I am personally opposed to military-grade equipment being deployed against our citizenry in any circumstances, I understand that reasonable people disagree on this point.) So such a contingency plan is a good idea, because of the remote possibility that APD is in need of such a vehicle.

³³ See Minutes June 16, 2020 at 19, <https://alameda.legistar.com/View.ashx?M=M&ID=791968&GUID=0DAF4193-A228-4BF2-AE5F-24475742B117> at 12.

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Yet, it appears no member of Staff nor the City Manager took any written steps to come up with a back up plan. (My narrowed request of February 26, 2021 concerned any external communications; so it is possible there were internal communications on this topic even though the staff report does not mention a formal plan.) It should be noted that the current ballistic vehicle was purchased in 2012 because the City's prior armored vehicle had a mechanical failure in 2011. The City went for several months without an armored vehicle; surely during that time APD had mutual aid agreements in place with other regional law enforcement agencies.

It may be the case that such agreements are currently in place and related to a number of matters, including armored vehicles. If that were the case, I submit that the Staff report for Council's upcoming meeting should include such information as it would be responsive to Council's June 16, 2020 action. The Staff report does not include any meaningful discussion of mutual aid agreements, however. Hence, Council may be left to wonder what happens if the 8-year-old ballistic vehicle has a mechanical failure.

Rebuttal to the Staff Report

In my view, the undated Staff Report for Item 6-B submitted by APD Captain Jeffery Emmitt, and written by Lieutenant Erik Klaus³⁴ is misleading in multiple respects. I understand that APD has a perspective and wishes to be persuasive, nevertheless, in the context of a Staff Report, it seems untoward to mislead. So at the risk of nit-picking, I offer this rebuttal to general and specific aspects of the Staff Report.

General Comment: the Staff Report Ignores Staff's Existing Duties Per the June 16, 2020 Vote

The Staff Report provides a perspective on why the City should keep the ballistic vehicle, but it largely ignores the three items of direction discussed above. In framing its discussion in this manner, the Staff Report is insufficient in the information it *should be* conveying. Specifically, the Staff Report should explain what steps the City Manager has taken to begin selling the ballistic vehicle, if any. The Staff Report should provide explanation and context around why the direction to cease spending on the ballistic vehicle was not followed in at least one case. The Staff Report should provide substantive detail on mutual aid agreements or other relationships with area law enforcement agencies. Yet the staff report does not address any of these items, and therefore provides Council an incomplete picture of the facts it needs to make an informed decision. This letter is one private constituent seeking to fill this information gap, which is an imperfect solution.

Specific Comments

Staff Report Excerpt: "Unlike a tank, a heavily armored fighting vehicle, the Emergency Response Vehicle is a defensive vehicle used to protect and transport citizens, fire personnel, and officers from potentially armed and violent suspects. It is not equipped with a weapon-mounted system and is otherwise not designed for situations where offensive action is required."

³⁴ Staff Report, Recommendation to Consider Options for the Alameda Police Department's Emergency Response Vehicle. (Police) [Not heard on March 2, 2021], <https://alameda.legistar.com/LegislationDetail.aspx?ID=4802402&GUID=C2A51AC7-DDF3-4FD1-A493-7BEAB03674E9&FullText=1>.

Rebuttal: As the original staff report from 2012 discusses,³⁵ the ballistic vehicle is designed to withstand two simultaneous grenade impacts, and “[a]ll Cabin vertical panels and windows, except firewall, armored to defeat multi-hit 7.62 x 51 mm NATO M-80 ammunition; 5.56x45mm (.223 Caliber) including penetrator (M193/SS 109 Rounds); .30-06 AP, .50 Cal Ball Ammo.”³⁶ The point is that ballistic vehicle **is** heavily armored, just like a tank; the Staff Report draws a misleading and erroneous comparison. Furthermore, the ballistic vehicle includes “[b]allistic gun ports”, a “sniper step”, and a hatch in the roof with a “Gun Port in Lid”.³⁷ In other words, the ballistic vehicle has a lot of places to secure guns. Guns are weapons and thus inherently offensive, they are not defensive in nature. The Staff Report says that the ballistic vehicle is “not equipped with a weapon-mounted system” which is technically true, but the ballistic vehicle is equipped with mounts (gun ports) in which to place giant weapons (including “long guns”). In other words, while a tank may have a built-in weapon, the ballistic vehicle has a built-in holster for the weapon, and then APD undoubtedly brings along the weapon on all SWAT calls. Again, the Staff Report is misleading here. The ballistic vehicle may not be optimally designed for offensive combat, but to suggest that it is not primed and ready to go for shooting is false.

Staff Report Excerpt: “The Emergency Response Vehicle offers a protective safe space for officers, highly trained negotiators, and mental health professionals to clearly communicate with subjects without unnecessarily exposing themselves or others to dangerous situations.”

Rebuttal: The Staff Report implies that the occupants of the ballistic vehicle are a happy crew of police and non-police professionals that need to protection in order to safely approach harmful suspects. However, a review of the (updated) Staff Report Exhibit 1 demonstrates that in the **three** incidents the ballistic vehicle was used over the last 8 years in Alameda, none of those incidents involved mental health or other non-police responders.³⁸ All three cases involved solely police response. So again, the Staff Report is misleading and false with respect to this claim.

Staff Report Excerpt: “The Emergency Response Vehicle assists officers in following policies that are in place and recommendations from ‘8 Can’t Wait’: REQUIRE DE-ESCALATION . . . REQUIRE WARNING BEFORE SHOOTING . . . REQUIRES [sic] EXHAUSTION OF ALTERNATIVES BEFORE SHOOTING”.

Rebuttal: The Staff Report here takes a page from the Book of Matthew, Chapter 4,³⁹ and in so doing demonstrates its tangential relationship to truth. First, it is worth noting that many people do not consider 8 Can’t Wait to be a model worth pursuing.⁴⁰ Second, even if we assume the 8 Can’t Wait ideas were satisfactory, the manner in which the Staff Report twists the 8 Can’t Wait principles is callous. The ballistic vehicle is a military-grade armored tool; suggesting that rolling up in an armored vehicle would “de-escalate” a situation is absurd (and completely contrary to the De-Escalation portion of Campaign Zero’s Model Use of Force Policy). Likewise, a warning before shooting requires a really loud speaker, it

³⁵ See footnote 9 and surrounding text, above page 3.

³⁶ Exhibit 2 to Agenda Item 5-C at 21,

http://alameda.granicus.com/MetaViewer.php?view_id=2&clip_id=1022&meta_id=36476.

³⁷ *Id.*

³⁸ See Exhibit 1 to Agenda Item 6-B (2021-8247),

<https://alameda.legistar.com/View.ashx?M=F&ID=9202629&GUID=D14D5349-8700-4BEF-92D9-D7971D7A8448>.

³⁹ See Matthew 4:1-25 (the temptation of Jesus in the desert wherein the Devil cites scripture for evil purposes).

⁴⁰ See Olivia Murray, *Why 8 Won’t Work: The Failings of the 8 Can’t Wait Campaign and the Obstacle Police Reform Efforts Pose to Police Abolition*, HARV. CIVIL RIGHTS-CIVIL LIBERTIES REV. (Jun. 17, 2020), <https://harvardcrcl.org/why-8-wont-work/>.

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does not require a vehicle with walls meant to withstand a warzone. Finally, yes, driving a ballistic vehicle up to the front door of a suspect's house is literally not shooting such suspect; however, this is not the kind of "alternatives" that 8 Can't Wait mean. The Campaign Zero Model Use of Force Policy (which is linked directly from [8cantwait.org](https://static1.squarespace.com/static/56996151cbced68b170389f4/t/5defffb38594a9745b936b64/1576009651688/Campaign+Zero+Model+Use+of+Force+Policy.pdf))⁴¹ does not suggest using armored vehicles in police encounters. To the contrary, the Model Use of Force Policy includes a passage on "tactics preceding the use of deadly force", which reads in part:

Law enforcement officers shall not contribute to precipitating the use of deadly force by placing themselves or others in jeopardy by taking unnecessary, overly aggressive, or improper actions.⁴²

Serving a warrant can indeed be a high-risk situation. However, by serving a warrant in the ballistic vehicle, APD are employing exactly the kind of aggressive tactic that the Campaign Zero Model Use of Force Policy condemns. If the police's opening message (albeit unspoken) to a suspect is, "We brought the tank," it is hard to imagine any reaction other than fear, which could easily lead to escalation and violence.

Summary and Conclusion

Returning to the three directions to the City Manager on June 17, 2020, above, I provided additional information which I believe objectively demonstrates that the City Manager did not follow Council's direction as to the Second and Third directions, as required under the City Charter. I have not seen any evidence of the City Manager attempting to comply with the first direction, however, I also have not obtained objective proof that the City Manager did not comply with the first direction. To summarize:

- 1) First, the City Manager was directed to begin a process to sell the ballistic vehicle;

The City Manager has not sold the ballistic vehicle. I have seen no evidence that the City Manager (or Staff) has made any effort to sell the ballistic vehicle, however, it is entirely possible there has been some effort, but that my very narrow information request has not captured it.

- 2) Second, the City Manager was directed not to spend any funds allocated to APD to purchase, procure or maintain the ballistic vehicle;

Finance Director Annie To has confirmed that funds were spent on the ballistic vehicle, contrary to this direction.

- 3) Third, the City Manager was directed to collaborate with other regional law enforcement agencies to come up with a plan to borrow an armored vehicle when necessary.

As of February 23, 2021 (the date of my public information request), there appears to be no written record of the City Manager or other Staff communicating with other regional law enforcement agencies. Therefore, as of February 23, 2021, it appears that this direction was not followed. Nevertheless, on March 1, 2021, Captain Jeffrey Emmitt sent an email describing the

⁴¹ See Campaign Zero, Model Use of Force Policy Language, <https://static1.squarespace.com/static/56996151cbced68b170389f4/t/5defffb38594a9745b936b64/1576009651688/Campaign+Zero+Model+Use+of+Force+Policy.pdf>.

⁴² *Id.* at 6.

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emergency response vehicles owned by other regional law enforcement agencies.⁴³ So it appears that at least some contact with other regional law enforcement agencies has been made, though this may have been for the limited purpose of determining which model of emergency vehicle such agencies own (see Captain Emmitt's email for more context).

It appears clear to me that the City Manager explicitly and repeatedly did not comply with Council's direction to sell the ballistic vehicle. Our City Charter depends on City Council's ability to make political and even controversial decisions, and it depends on the City Manager and Staff to implement such decisions. To protect the Charter, I respectfully request that you adopt a resolution to sell or donate the ballistic vehicle by a date certain. Nine months have already passed, the time to act is now.

This Is Not an Ad Hominem Attack

Finally, I have no personal animus toward Mr. Levitt. He has been courteous, respectful, and prompt to reply when I've contacted him directly. I do not seek to impugn his character. It makes no matter what I hypothesize Mr. Levitt is thinking, but just to be absolutely clear, I would submit that Mr. Levitt believes he is acting in the City's best interest. Nevertheless, I am convinced that Mr. Levitt's actions with respect to the ballistic vehicle are inconsistent with his duty under the City Charter to follow your direction of June 16, 2020.

To accept the Staff Report and retain the ballistic vehicle would undo a measure of enacted in the name of racial equity and do violence toward the democracy of our City.

Sincerely,

/s/

Erin Fraser
Alameda Resident

⁴³ See Email from Jeffrey Emmitt to Eric Levitt (March 1, 2021 13:55),
<http://alameda.legistar.com/gateway.aspx?M=F&ID=907c4e8d-21c8-4208-9431-b3fff0ca92cf.pdf>

From: [Drew Dara-Abrams](#)
To: [City Clerk](#)
Subject: [EXTERNAL] City Council 3/16 Item 6-b
Date: Thursday, March 11, 2021 11:46:41 AM

Hi Ms. Weisiger,

Would you please add the following to the correspondence package for the "Alameda Police Department's Emergency Response Vehicle" item on the City Council 3/16 agenda?

Thanks,
Drew

--

Dear Mayor, Vice Mayor, and Councilmembers,

Many of the questions about community policing here in Alameda are complex, without simple answers. But the question about Alameda's "Emergency Response Vehicle" is straightforward. Please follow through on the plan to sell it.

In practice, this vehicle does not appear to have been necessary for Alameda's safety needs, based on the report attached to this agenda item.

More importantly, this is a piece of military hardware. We can rethink and debate how our police department best serves our entire community (officers included), but having a military frame of reference does not benefit any of us (again, officers included).

The county sheriff, the CHP, and the National Guard also exist. There are also complicated questions to ask about those organizations, but for our purposes at the city level let's not overcomplicate matters: Maybe there's a role for military-grade hardware at some types of law enforcement agencies, but there is not one at the Alameda Police Department. Serving the people of Alameda should not involve military equipment or a military-like mindset.

Sincerely,
Drew Dara-Abrams
Calhoun St.

From: [Is Sullivan](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Item 6-F on March 2 City Council Agenda
Date: Tuesday, March 2, 2021 3:39:50 PM

Dear Mayor and Councilmembers,

Nine months ago, you answered your constituents' widespread demands for racial justice and divestment from policing with direction to sell the APD's armored vehicle. I urge you to reaffirm your June 2020 decision to sell the armored vehicle, which has only been used three times in Alameda since its purchase. The proceeds of the sale of this unnecessary piece of military-grade equipment should be used to fund urgently-needed community services in Alameda.

Sincerely,
Is Sullivan

From: [Savanna Cheer](#)
To: [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#)
Cc: [Manager Manager](#); [City Clerk](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Public comment on Item 6-F for the 3/2/21 CC meeting
Date: Tuesday, March 2, 2021 12:11:14 PM

Hello:

I am writing regarding the agenda item 6-F and the usage of the armored vehicle that APD currently owns. The city should immediately sell this vehicle for the following reasons:

- 1) It seems inconsistent with addressing policing in Alameda to keep a militarized piece of equipment. We should, as a community, move away from increased militarization and a good first step is getting rid of military grade equipment. The subcommittees that you, Marilyn and Malia, initiated have made preliminary recommendations that seem very inconsistent with retaining a piece of militarized equipment.
- 2) Past that and more importantly, the community made clear demands on this very point of demilitarization and addressing policing and racial justice back in June 2020. Council supposedly responded to these demands with a resolution made at the second cc meeting in June 2020. The language is explicit and directed towards demilitarization. There was a specific direction to sell the armored vehicle. It's appalling and just plain bad practice that those steps have not yet been taken, 9 months later. How do you expect the community to believe anything the five of you say when events unfold in the way this did?
- 3) Lastly, in reviewing the deployment data attached to this item, it is abundantly clear that we have no need for this type of vehicle. It has been used only three times in 7+ years here in Alameda. That accounts for just 11% of its total usage in the time APD has owned it. Two of the three events do not seem to be emergency response situations nor are any of them related to terrorism which APD seems very attached to as a reason to keep this thing. San Leandro has used it almost three times as much as Alameda has, so it seems that we have a clear potential buyer on our hands.

Please make the right decision and direct Mr. Levitt to sell this vehicle. It sounds like you'll have to be *extremely* explicit since your original directions were not followed for some reason. Many residents of Alameda were under the impression, last June, that the resolution passed had an underlying intention of true change. It appeared that it was a promising step in a positive direction. Many of us expected that the creation of the steering committee to address policing and racial justice, the directions given to staff to address topics of anti-racism and the direction to sell this armored vehicle were concrete, genuine action steps. If you don't follow through, how are we to believe that any of you actually want to move Alameda forward in an equitable, anti-racist way and make Alameda a place where "everyone belongs?"

Thanks,
Savanna Cheer

From: [Marilyn Rothman](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Item 6F on Council Agenda 3/2.
Date: Tuesday, March 2, 2021 11:37:10 AM

Since the armored vehicle has been used 3 times in 5 years and then only because it was there, I think it should be sold, as passed last June, to fund other police needs.

Thank you.

Marilyn Rothman
Alameda resident

From: [Grover Wehman-Brown](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Item 6-F: Please keep your commitment and sell the armored vehicle
Date: Monday, March 1, 2021 6:54:29 PM

Dear Councilmembers, Mayor Ezzy Ashcraft, and City Manager Levitt,

I am writing to request that the City keep the commitment made by City Councilmembers in June to sell the armored vehicle and redirect those funds into non-police public safety investments. The majority-vote commitment this body made was voted on after hours of public comment demanding racial equity in our city, and selling the armored vehicle was among the demands by residents.

It's inappropriate for our city to use our collective funds to maintain a military-grade armored vehicle. Tonight, as I picked up library books, I saw two Senior Citizens prepare for a night of sleep on the bench outside the library. Please, sell the vehicle and provide them with housing. Fund a mental health response program. We could create a long list of critical needs facing our community members each and every day that could be addressed, in part, with funds from this Armored Vehicle and the decrease in labor, maintenance and storage.

Thank you,

Grover Wehman-Brown

From: [Jennifer Taggart](#)
To: [City Clerk](#)
Subject: [EXTERNAL] public comment on Agenda item 6F for 3/2 meeting
Date: Monday, March 1, 2021 6:44:28 PM

The armored vehicle (ie Emergency Response Vehicle) is a waste of money that encourages the wrong kind of policing in Alameda. City council voted to get rid of it last year, so it is unclear why it is still around. The armored vehicle is almost never used within Alameda. We need to spend our money on creating the services needed to divert unnecessary calls away from the police, so that the police aren't called for every problem. Keeping the armored vehicle is out of step with our actual policing needs.

-Jennifer Taggart

City Council meeting
March 2, 2021
Agenda Item 6-F Police Emergency Response Vehicle

Dear Mayor and members of the City Council,

Please rescind your earlier directive to the City Manager to sell the Alameda Police Department (APD) Emergency Response Vehicle. As described in detail in the staff report, this armored vehicle is an indispensable tool during incidents involving firearms and possible loss of life. Without this vehicle, time would be wasted and potentially lives lost, including those of local police officers, while APD awaits assistance from a nearby city that has an armored vehicle.

This vehicle does not represent “militarization of the police force,” with the implication of creeping authoritarian rule and political repression. This vehicle has never been used to shadow a protest demonstration to intimidate participants or patrol various neighborhoods that it wishes to hold in submission, as we have seen in other parts of the world. It has never been reported as having been misused.

Getting rid of this vehicle would leave APD unprepared for certain high-risk, potentially deadly encounters, and then criticized for not engaging in a suicide mission. Does Alameda want a situation where first responders stand by watching while someone dies because they are unprepared? I think not.

Nothing positive for the residents of Alameda will come from selling this vehicle. It would undoubtedly cost more to replace it should Alameda change its mind later.

In sum, there is no problem to fix. It is unnecessary to adopt “Alternative 1” in order to keep the vehicle. You don’t need to “limit its use to only defined critical incidents” because its use is already defined and limited in the Critical Incident Response Team policy document. And I fail to see the benefit of having to first get the approval of the City Manager to avoid unnecessary loss of life during execution of high risk search and arrest warrants, as stated in point #5 of Alternative 1. That is what the City hires a highly-paid police chief for – to make emergency command decisions on deployment of the department’s resources.

Sincerely,
Richard Bangert
Alameda