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Subject: January 23, 2023 Board of Supervisors Rules Committee: Item 221062: Funding, Acquisition and Use of Certain Sheriff's Department Equipment.
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Dear Supervisors:

Today the Rules Committee will take up its review of the draft ordinance and list of equipment used by the Sheriff's Department as required under AB 481. I understand that discussions with the Sheriff's Department, members of the Rules Committee and the community have taken into account concerns raised in the adoption of the Police Department. I appreciate these efforts in helping to shape this ordinance.

I have had an opportunity to review some proposed amendments that have been suggested by the Sheriff's Department for consideration. I strongly endorse language that recognizes that certain equipment like flash bangs, pepper spray or other projectiles need to be prohibited around the elderly, children, persons with physical, mental or intellectual disabilities, non English speaking persons and those with compromised immune systems.

I also noted that the equipment list indicated that there were items that had not been deployed during the past year. I would ask the Rules Committee to determine whether such equipment is still needed. In reading the draft, I am not certain that it includes all the data needed about deployment and actual use of a weapon. As a community member, I generally prefer that our police and sheriff use less military type equipment.

I am glad to see that the Sheriff's ordinance prohibits the use of force with drones. This is appropriate, however, the draft ordinance allows for uses that are too broad. Drones should not be used to gather and preserve evidence in crowd situations. This seems to violate first amendment and privacy rights.

This ordinance also needs a complaint policy for citizens to raise concerns about the use of equipment. I understand this is going to be addressed. This is an important element for citizens to see information about deployment and use and comment on issues of concern as part of the Annual report.

I also support providing a private right of action so citizens can directly take actions to address changes needed in the use of military equipment. As it stands, only the Board of Supervisors has authority to protect the public safety. California has a strong history of including private rights of action as another safeguard for insuring accountability and protecting citizens rights.

I also endorse other recommendations made by the AFSC Healing Justice project that has assisted the community in understanding how these weapons are deployed and used. I also thank the dedicated public servants from the Sheriff's Department, the Board of Supervisors and City Attorneys office for their work.

Thank you for the opportunity to comment.

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Sent from my iPad