

LEGISLATIVE DIGEST

[Administrative Code - Prohibition on City Participation in Urban Shield and Other Programs that Promote the Militarization of Law Enforcement]

Ordinance amending the Administrative Code to prohibit City entities from using City resources to participate in Urban Shield and other programs that promote the militarization of law enforcement.

Background and Existing Law

The City participates in the Bay Area Urban Areas Security Initiative (Bay Area UASI), which is a consortium of twelve Northern California counties that receives funding from the U.S. Department of Homeland Security to guard against terrorist attacks and other catastrophic events. Urban Shield is an annual training exercise organized under the auspices of Bay Area UASI.

Urban Shield has attracted criticism on the ground that it promotes the militarization of law enforcement. Under current law, nothing prevents City entities from using City resources to participate in Urban Shield or in similar programs that are alleged to promote the militarization of law enforcement—and, in fact, City entities do participate in Urban Shield.

Amendments to Current Law

This ordinance would prohibit the use of City funds or other resources to participate in Urban Shield, or in any other exercises or programs that include law-enforcement training that promotes the militarization of law enforcement in a manner substantially similar to the law enforcement training featured in Urban Shield. The ordinance would also prohibit City entities from accepting reimbursement from other governmental entities—including, in particular, Bay Area UASI and the federal government—to participate in such exercises or programs.

Additionally, the ordinance requires City entities that have previously participated in Urban Shield to report to the Board of Supervisors and the Mayor to explain whether and how they continue to participate in exercises or programs organized by Bay Area UASI, and how they intend to ensure that City funds or other resources are not used to promote the militarization of law enforcement.

Finally, the ordinance clarifies that it does not interfere with (1) City officers' or employees' ability to attend such exercises or programs using paid leave, (2) the state-law duties of the Sheriff and District Attorney, and (3) the City's obligations and functions as Fiscal Agent for Bay Area UASI.