

RECOMMENDATION SUBMISSION AND RESPONSE FORM

2022 MEU #10

DISCUSSED BY SCPRC	05/20/2022	APPROVED AND IMPLEMENTED	<input type="checkbox"/>	PENDING FURTHER REVIEW	<input type="checkbox"/>
RECEIVED BY SPD	08/17/2022	APPROVED AND PENDING	<input type="checkbox"/>	SPD UNABLE TO IMPLEMENT	<input type="checkbox"/>
RETURNED TO SCPRC	09/09/2024	PARTIAL IMPLEMENTATION	X	DENIED	<input type="checkbox"/>

SCPRC RECOMMENDATION

GO 410.06 Military Equipment Use
GO 525.09 Unmanned Aerial Systems
GO 580.02 Use of Force
GO 580.04 Firearms
GO 580.10 Use of the Conducted Energy Device (CED)
GO 580.12 Less Lethal Weapon Systems
GO 580.15 Special Weapons and Tactics (SWAT) Team
GO 580.16 SWAT Diversionary Devices
GO 580.17 Use of the Long Range Acoustical Device (LRAD)
GO 580.18 Deployment of Armored Vehicles
RM 532.11 First Amendment Assemblies Manual
RM 580.07 Chemical Agents

SPD has no written policy or requirement for evaluating or assessing the effectiveness of its military equipment stock or other technology.

Adopt a New General Order: Create a standalone policy establishing a recurring process for evaluating or assessing the effectiveness of military equipment and other technology SPD currently uses. Evaluations or assessments should include any reviews or analyses of cost-effective alternatives to military equipment which may exist at the time. The process should be conducted periodically (recommended once every 3 years) and produce evaluation reports that are shared directly with the SCPRC and made available to the public via the City's website.

Any recent evaluations or assessments of military equipment conducted prior to the passage of AB 481 or SPD's GO 410.06 should be published under a new section in the next annual MEU report and referenced each year until the next evaluation is completed (beginning in 2023).

SCPRC RECOMMENDATION RATIONALE

One of four minimum requirements under AB 481 states: "If purchasing [military] equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety." In producing its MEU policy, SPD did not appear to conduct any process for evaluation or assessing the effectiveness of its current military equipment stock and did not any details for what, if any, cost-effective alternatives it reviewed or trialed prior to City Council approving its policy.

The Final Report of President Barack Obama's Taskforce on 21st Century Policing included among its recommendations an action item for all law enforcement agencies to include "an evaluation or assessment process to gauge the effectiveness of any new technology" that includes input from all levels of the agency "from line officer to leadership" and an "assessment from members of the community." The Commission agrees with this recommendation and believes it should be established as a standalone policy that is referenced directly in SPD's MEU policy.

The process should be conducted on an ongoing basis with a public report published every three years. The process for evaluating and assessing military equipment and other technology should include an intradepartmental survey to solicit input from line officers, union representatives, and members from other departmental units, such as research and

planning, technology, and internal affairs. The evaluation report and departmental findings should then be reviewed and analysis provided by the City's police oversight bodies in OPSA and the SCPRC. Assessment should also include external stakeholders separate from SPD such as representatives from the City Attorney's office, civil rights attorneys, local advocacy groups, and other impacted community members. Each group should have the opportunity to ask questions, express their concerns, and offer suggestions for updates or changes to SPD policy and training.

SPD RESPONSE

By policy, the effectiveness of SPD's military equipment is continually reviewed in the following manner:

- GO 260.02, Department Training: The Employee Development and Training section reviews all uses of force involving military equipment to determine the annual curriculum for mandatory officer training, reference manual updates, and integration of best practices. Additionally, by policy, all department training is reviewed on an annual basis. Finally, all department training expanded course outlines, including police recruit training curriculum, is posted on the department's transparency site.
- GO 340.02, Internal Inspections: The Inspection and Standards Team conducts quarterly audits of 5% of all SPD arrests that influence policy revision, training curriculum, and integration of best practices. Results of the audits are published on the department's transparency site.
- GO 580.01, Use of Force Review Board (UOFRB): Use of force cases involving military equipment are reviewed monthly, after review by field supervisors, watch commanders, and division captains. Findings guide departmentwide policy revision, training updates, and consistent actions taken if policy is violated. Cases that meet SB1421/16 criteria are posted on the department's transparency site.
- GO 580.03, Use of Force Reporting: The Force Investigation Team reviews and facilitates monthly UOFRB meetings. Additionally, the team analyzes use of force statistics to identify trends that impact policy revision, training curriculum, and integration of best practices. Cases that meet SB1421/16 criteria are posted on the department's transparency site.
- Some results of any evaluations or assessments of department military equipment have not been integrated into GO 410.06 because other departmental processes (listed above) already exist. It should be noted that publication of some results is subject to labor group agreements or exemption under employee privacy laws.

OTHER CITY DEPARTMENTS

N/A

APPENDIX

N/A