

RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA APPROVING
A MILITARY USE POLICY AND THE CONTINUED USE OF MILITARY
EQUIPMENT FOR POLICE SERVICES PURSUANT TO ASSEMBLY BILL 481
(GOVERNMENT CODE SECTION 7071 *et seq.*)

WHEREAS, on February 27, 2024, the City Council of the City of La Mesa accepted the La Mesa Police Department annual report on its use of “military equipment” and approves the “military equipment use policy” by means of a resolution in compliance with Assembly Bill 481 (“AB 481”) (Government Code sections 7071 *et seq.*);

WHEREAS, La Mesa Police Policy 706 sets forth a military equipment use policy that is consistent with the Police Department's current practices, has been posted on the Police Department's website since February 21, 2024 and the City Clerk's website since the publication of the agenda for the February 27, 2024 council meeting, complies with all the requirements of AB 481, will ensure ongoing regulation and compliance with the law going forward and will provide a means of community engagement and transparency regarding use of military equipment by the Department;

WHEREAS, the La Mesa Police Department will hold a public meeting on the annual report of its use of “military equipment” during the La Mesa Community Police Oversight Board meeting on March 20, 2024, which is within 30 days of the submission of the annual report, where the La Mesa Police Department will receive public comment on its use of “military equipment” during the preceding year;

WHEREAS, authorizing the use of military equipment as set forth in La Mesa Police Department Policy 706 is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. The acquisition and use of the military equipment as set forth in La Mesa Police Department Policy 706 is part of the Police Department's overall approach to Critical Incident Management, Use of Force, De-escalation, and public safety. The equipment will enable department members to properly respond to both planned and unplanned events efficiently and effectively;

WHEREAS, La Mesa Police Department Policy 706 will safeguard the public's welfare, safety, civil rights, and civil liberties by ensuring required reporting out, the opportunity for community engagement and feedback, and transparency and oversight regarding the acquisition and use of the specified military equipment in the City of La Mesa; and

WHEREAS, prior military equipment use by the La Mesa Police Department complied with the military equipment use policy that was in effect at the time of the use.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa that:

1. That the City Council of the City of La Mesa hereby adopts and approves the findings set forth above in support of this Resolution.

2. That the City Council of the City of La Mesa hereby approves La Mesa Police Department Policy 706 and annual report attached hereto as Exhibit A, including the Police Department's request for new equipment.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 27th day of February 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2024-__, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)