## CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

CO	UNCII	L BILL NO	R-20-65	ENACTMENT NO.					
SP	ONSO	RED BY:	Pat Davis and La	n Sena					
	1	RESOLUTION							
	2	PROHIBITING THE POLICE DEPARTMENT FROM APPLYING FOR OR							
	3	RECEIVING SURPLUS MILITARY EQUIPMENT FOR CIVILIAN LAW							
	4	ENFORCEMENT USE; REQUIRING THE POLICE DEPARTMENT TO PROVIDE							
	5	AN INVENTORY OF EQUIPMENT							
J/Underscored Material] - New Strikethrough Material] - Deletion	6	WHEREAS, the National Defense Authorization Act of Fiscal Year 1997							
	7	allows for US Department of Defense, through the Law Enforcement Support							
	8	Office in the Defense Logistics Agency (DLA-LESO) to transfer to local law							
	9	enforcement agencies surplus military equipment for civilian law enforcement							
	10	use through a program commonly known as the "1033 program"; and							
	11	WHEREAS, the DLA-LESO reports that since the program's inception more							
	12	than \$7.8 billion in military equipment has been provided to local law							
	13	enforcement agencies, including the Albuquerque Police Department; and							
	14	WHEREAS, In 2014, US Attorney General Eric Holder announced a review							
Mate Ma	15	of the 1033 program stating, "displays of force in response to mostly peaceful							
	16	demonstrations can be counterproductive,it makes sense to take a look at							
JESC FO	17	whether military-style equipment is being acquired for the right purposes and							
	18	whether there is proper training on when and how to deploy it;" and							
	19	WHEREAS, studies have shown and diverse groups from the Charles Koch							
sket etec	20	Institute an	d the American Civ	vil Liberties Union have concluded that the					
Bracketed/Underscored Materia   Bracketed/Strikethrough Material	21	militarizatio	on of police erodes	public trust and leads to increased police					
	. 22	violence, w	hile the use of mili	tary grade weapons has not been show to					
	23	significantl	y reduce crime; an	d					
	24	WHERE	AS, the accusation	of military equipment under the 1033 Program					
	25	requires ou	ır city to use of the	military grade equipment within one year or the					

equipment must be returned and the city must pay for transportation,

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- 1 maintenance, and conversion costs of this equipment as well as fuel,
- 2 insurance, storage, and training, while these funds could be put to better use
- 3 funding community based programs that have been shown to successfully
- 4 build up communities; and
- 5 WHEREAS, in 2015, President Barack Obama signed Executive Order 13688
- 6 limiting the type of military equipment available for local acquisition through
- 7 the 1033 program, but in 2017 President Trump issued a new order repealing
- 8 that prohibition; and
- 9 WHEREAS, The Defense Logistics Agency reports that the Albuquerque
- 10 Police Department received and currently possesses the following DLA-LESO
- 11 accountable property:

12	NSN	Item Name	<b>Quantity</b> Acq	<u>uisition Value</u>	Ship Date
13	1240-01-540-3690	SIGHT,REFLEX	39	\$321.00	21-Apr-14
14	1240-01-528-8236	FILTER,LIGHT,TELE INSTRU	2	\$524.00	29-Dec-15
15	1240-01-576-6134	SIGHT,REFLEX	1	\$446.00	16-Jun-15
16	1240-01-492-5264	SIGHT,HOLOGRAPHIC	90	\$587.61	26-Jun-14
17	1240-01-411-1265	SIGHT,REFLEX	19	\$321.00	28-Jul-15
18	1240-01-576-6134	SIGHT,REFLEX	1	\$446.00	16-Jun-15
19	1240-01-411-1265	SIGHT,REFLEX	39	\$321.00	14-Jul-15
20	2355-01-590-1660	MINE RESISTANT VEHICLE	1	\$733,000.00	13-Feb-14
21	1385-01-574-4707	UNMANNED VEH,GROUND	1	\$10,000.00	6-Feb-14
22	1240-01-411-1265	SIGHT,REFLEX	23	\$321.00	23-Sep-14
23	; and				

WHEREAS, while the City of Albuquerque has not received surplus military equipment for law enforcement use since 2015, the City remains eligible for future allocations and the City Council does not desire to use that program now or in the future; and

WHEREAS, the Albuquerque Police Department maintains other equipment which serves dual military and civilian law enforcement, some of which may no longer be needed and should be removed from service.

- BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:
  - SECTION 1. The Albuquerque Police Department is hereby prohibited from applying for or receiving surplus military property for civilian law enforcement use from the US Department of Defense.