

From: [Margaret Baker](#)
To: [CityClerk](#)
Subject: Public Comment on Agenda Item 7.1: Annual Military Equipment Report
Date: Tuesday, April 21, 2026 11:52:42 AM

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Dear City Clerk,

I am writing on behalf of South Bay People Power to provide public comment on Agenda Item 7.1, the proposed AB 481 Report and policies being considered by our City Council this evening.

Could you please forward our memo below to the Mayor and all Council members and their aides?

Thank you.

Dear Mayor and Councilmembers,

On behalf of South Bay People Power, I am writing to express our concerns regarding the proposed Military Equipment Report and Use Policies prepared by the Chula Vista Police Department. We urge a “no” vote until necessary revisions are made to bring Chula Vista’s policies into compliance with state law and best practices. We fervently call on you to support our longstanding desires for community safety without more weapons.

California law clearly affirms that the local governing body serves as the “first level of accountability” regarding non-compliance with AB 481 by a local law enforcement agency ([Memorandum to California City Councils, City Attorneys, County Boards of Supervisors, County Counsels from ACLU of Northern California and American Friends Service Committee, dated October 20, 2025](#)). While the CVPD may propose and carry out policies and practices related to military equipment acquisition and use, our City Council is ultimately responsible. Thus we expect that you will not give blanket approval.

Here is a critical issue that needs to be changed BEFORE approval of the 2025 AB 481 Report and proposed amendment to Policy 714:

AB 481 makes no provision for acquisition of military equipment in “exigent circumstances”, as outlined in the proposed amendment to CVPD’s military equipment policy.

If Chula Vista City Council decided to approve this policy, it should do so consistent

with AB 481 requirements for necessity, cost-effectiveness and protection of civil liberties. This would require (as other departments have done) clear definition of several terms in this provision, which in the proposal are not clear.

Definitions needed

Equipment that may be acquired without City Council approval as required by AB 481: currently the only definition is that CVPD owns those types of equipment. This could be robots, armored vehicles, rubber bullets, drones (all of which CVPD currently owns), which will not be consumed during unusual activity such as prolonged critical moments. **The amendment should restrict exigent purchases to equipment that is consumable.** (See the [National City Police Department military equipment policy](#).)

Circumstances in which exigent purchases are permitted: The proposed amendment says only "events such as riots, mutual aid, pro-longed critical incidents, etc." The "etc." in this phrase means that pretty much any circumstance could be argued to be exigent. The requirement for authorization by elected officials to use large amounts of weapons is meant to temper excessive use of such weapons that the community would find objectionable. Berkeley has a definition of exigent circumstances: *"Exigent Circumstances" means a law enforcement agency's good faith belief that an emergency involving the danger of, or imminent threat of death or serious physical injury to any person requires the use of unapproved Controlled Equipment.*

Reporting and authorization for unauthorized purchases within a short period. Other departments that have created a provision for exigent purchases require reporting to the governing body within a shorter period than a year. Typically this would be 30 days (Oakland Police Department and Berkeley Police Department). [Fairfield Police Department](#) restricts exigent purchases to the process of seeking grants for equipment and requires that "The Department shall obtain council approval as soon as practicable."

We would also like to remind you that you can postpone your vote, in order to make the necessary changes to the proposed policy change. This would also allow for the public to provide additional input during the community engagement meeting scheduled for later this month. Only nine community members were able to attend the first "public forum" which was held during work hours and INSIDE the police department rather than at a more convenient time and a neutral location. Some attendees reported they felt intimidated entering the police station, waiting in line to check-in before entering the meeting room. Attendees pointed out that the time, location, and outreach were not geared to maximize accessibility and engagement of community members, and also that there seemed to be no method for documenting the questions and comments raised at the meeting. We strongly urge you to postpone governing body consideration of the annual report until AFTER "well-publicized and conveniently located" community engagement meetings and to request reporting that provides substantive input from those meetings.

Please feel free to reach out for additional clarification of these critical issues.

Sincerely,

Margaret A. Baker, DrPH



South Bay People Power promotes social justice through nonpartisan civic engagement.