



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-4414

---

**Agenda Item Number:** 8.

**Agenda Date:** 9/8/2016

**In Control:** City Council A Session

---

**DEPARTMENT:** Police Department

**DEPARTMENT HEAD:** William P. McManus, Chief of Police

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:** JAG SWAT Controlled Equipment Grant

### **SUMMARY:**

An Ordinance amending Ordinance No. 2016-06-16-0462, which authorized the submission of a grant application and acceptance of funds upon award for the Justice Assistance Grant (JAG) SWAT Controlled Equipment Grant in the amount of \$102,604.00 from the Department of Justice (DOJ), Bureau of Justice Assistance (JAG) through the Alamo Area Council of Governments (AACOG) and the Office of the Governor, Criminal Justice Division (CJD).

### **BACKGROUND INFORMATION:**

The San Antonio Police Department (SAPD) submitted an application to the Office of the Governor, Criminal Justice Division (CJD), for a Bureau of Justice Assistance (JAG), Department of Justice (DOJ) grant for the purchase of controlled equipment for the SAPD SWAT Team. The submission of the application was authorized with a Special Category Grant Opportunity Authorization with approval given on February 10, 2016.

The original Ordinance authorized the acceptance in the amount of \$102,604.00 from the DOJ for the purchase of controlled equipment. Upon review of the grant application, the DOJ requested that the Ordinance include an itemized list of all controlled equipment to be purchased with grant funds. The following controlled equipment will be purchased with grant funds:

- 28 AR15 special purpose rifles;
- 28 Aimpoint Comp M4s, weapon sights;
- 28 Surefire Scout Weapon Lights;
- 28 Pelican Weapon cases;
- One AR15 parts and maintenance; and
- Four Armorer's kits.

The Department is seeking funds to purchase 28 new rifles, with associated equipment, and training for the SWAT detail in order to ensure their safety while they maintain a safe and secure environment for citizens and visitors. Supplying new rifles and associated equipment to SWAT will help prevent and minimize the loss of

lives and damage of property as seen in other highly publicized incidents throughout the nation. The current rifles being utilized by the SWAT Team range from 10 to 20 years of service and many of the weapons have been placed out of service due to age and lack of reliability, thus leaving the Team with a critical deficit of functional rifles/equipment.

These items proposed under this application are considered “*Controlled Equipment*” under **Executive Order 13688, Federal Support for Local Law Enforcement Equipment Acquisition**. When requesting financial assistance from any federal funding stream to purchase items classified as “*controlled equipment*,” the requesting law enforcement agency must adhere to the required protocols, training, and rules for collection and retention of the equipment as outlined in Executive Order 13688. The SAPD and its SWAT Team adhere to these protocols by certifying that:

The intended uses of the controlled equipment by the San Antonio Police Department SWAT Team include pre-planned high-risk warrant service and counterdrug operations, critical incidents, including hostage situations, barricaded actor incidents, active shooter incidents, unusual occurrences, natural disaster response and weapons of mass destruction (WMD) events, terrorist events and other homeland security emergencies.

The acquisition of controlled equipment by the SAPD SWAT Team would have a substantial positive impact on emergency law enforcement services not only within the city limits which encompasses approximately 465 square miles, but within the South Texas region, as San Antonio is the largest Texas city closest to the Mexican border. SAPD Special Operations Units, such as SWAT, provide emergency services on a regional basis and is the only Tier 1 tactical team in the region. The SAPD provides multi-agency and regional assistance in counterdrug operations, as requested.

The SWAT Team is nationally recognized and has in place Policy and Procedures tightly regulating the deployment of the Team as well as its operations. The SAPD and its SWAT Team have strict and specific written policies and protocols Governing General Policing Standards, Specific Controlled Equipment Standards, and required protocols and training in place. SWAT personnel are fully aware of the SAPD expectations, operations, and restrictions with respect to general policing as well as the use of controlled equipment to include:

- Community Policing
- Constitutional Policing Protocols
- Community Input and Impact Considerations
- Appropriate Use of Controlled Equipment
- Supervision of Use
- Evaluations
- Auditing and Accountability
- Transparency
- Training on Protocols,
- Annual Training
- Operational and Technical Training
- Scenario-Based Training
- Record Keeping

**ISSUE:**

The proposed Ordinance continues the City Council's policy of seeking financial assistance from outside sources for law enforcement programs addressing criminal activity in the community. Acquiring controlled equipment for the SAPD SWAT Unit will promote the support of local, state, and federal agencies.

**ALTERNATIVES:**

Failure to amend the Ordinance listing all controlled equipment to be purchased with grant funds will exclude the SAPD from receiving grant funds.

**FISCAL IMPACT:**

No cash or in-kind match required. The grant is for up to \$102,604.00.

**RECOMMENDATION:**

It is recommended the City of San Antonio move forward in submitting this amendment to Ordinance No. 2016-06-16-0462.