



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 3

Section Name: {{section.name}}

Account Number: 10-5112

File ID: {{item.tracking_number}}

TO: City Council
FROM: Alex Khojikian, City Manager
PREPARED BY: Police Department
MEETING DATE: March 04, 2024
SUBJECT:
AB 481 Annual Military Equipment Report – Approval

RECOMMENDATION:

Approve the Annual Military Equipment Report per California State Assembly Bill No. 481.

BACKGROUND:

On September 30, 2021, Assembly Bill 481 (AB 481) was codified in Government Code Sections 7070-7075, requiring the governing body of law enforcement agencies to adopt a "Military Equipment Use" policy. The San Mateo Police Department presented a policy to the City Council which was adopted by Ordinance on May 2, 2022.

AB 481 also requires law enforcement agencies to prepare an annual report containing information for the preceding calendar year. Staff has prepared a Military Equipment Annual Report (Exhibit A) which summarizes the required information including: a description of the purpose of the equipment and how it was used; any complaints received; the results of any internal audits; the cost of the equipment; the quantity possessed; and if the agency intends to acquire additional equipment in the next year.

The San Mateo Police Department does not possess any tactical equipment that it has obtained from the military, nor does it possess any equipment that was designed for military use. The term "military equipment," as defined in AB 481, encompasses many items utilized as component of overall best practices by law enforcement agencies, which are employed specifically to reduce risk to community members. The list includes, but is not limited to unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, chemical agents, less-lethal shotguns, less-lethal 40mm projectile launchers, distraction devices and long-range acoustic devices. These items provide peace officers the ability to safely resolve volatile situations and are vital tools that facilitate compliance with our stringent use of force policy. These tools have been tested in the field, and are used to enhance citizen and officer safety.

During the 2023 calendar year, no complaints related to military equipment were received by the Police Department. There were no violations of department policy related to the deployment of military equipment by department personnel. The Police Department acquired three unmanned aerial system (UAS) devices in 2023. In the current 2024 calendar year, the Police Department intends to acquire three additional UAS devices; two non-lethal organic irritant delivery devices; and will replace three of the existing precision automatic rifles. Upon receipt of that equipment, the Military Equipment Use Policy will be updated to reflect the addition of those items to the inventory.

In compliance with AB 481, the Military Equipment Annual Report was published on the Police Department's website at least 30 days prior to this meeting.

BUDGET IMPACT:

There is no budget impact associated with this action.

ENVIRONMENTAL DETERMINATION:

This action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Military Equipment Report

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