

CITY COUNCIL
MEETING

APRIL 18, 2022

Military Equipment Policy Ordinance for Introduction



Background

On September 30, 2021, AB 481 was signed into law requiring law enforcement agencies to adopt a Military Equipment Policy

Policy must be approved by Ordinance

Prior to funding, acquisition or use of equipment

Background

SMPD is not seeking any new equipment

Requesting introduction of Ordinance to approve policy

- Allows continued use of existing equipment
 - Acquired a long time ago
 - Utilized for many years

"Military Equipment"

SMPD does not possess any tactical equipment obtained from the military

AB 481's definition of military equipment is not what traditionally comes to mind

Items deemed "military equipment" by AB481 are:

Deployed specifically to reduce the risk to the community

Are a component of best practices across the country

Equipment provides officers ability to safely resolve volatile situations

Proposed policy defines purpose of equipment, authorized uses, legal/procedural rules, and training required to staff prior to using equipment

Includes components required by government code:

Description of the equipment, capabilities, manufacturer, etc.

Purposes and authorized uses

Cost of obtaining and maintaining

Legal and procedural rules governing its use

Training required to use equipment

Mechanisms in place to sure ensure compliance

The Policy

SMPD Equipment

Armored rescue vehicle

Breaching tools

Chemical agents & launching cup

Long Range Acoustic Device (LRAD)

Rifles

SMPD Equipment

Unmanned Aircraft System (UAS) and ground system (robots)

Command/control vehicle

Distraction devices

40mm less-lethal projectile launchers & rounds

SMPD is part of a regional tactical team. We house equipment here that other agencies rely on as part of that regional team

Transparency and Accountability

In compliance with Government Code, policy establishes:

- Future acquisition of military equipment requires a public meeting, policy update and Council approval
- Police Department is responsible for preparing Annual Military Equipment Report
 - Posted on City website
 - Shared with the public via a noticed meeting
 - Delivered annually to Council to confirm compliance

Draft policy posted on City website on March 15, 2022

- At least 30 days prior to this meeting

Action Requested

Introduce Ordinance to:

- Approve Military Equipment Policy
 - Reflects input/feedback from City Attorney
 - Ensures compliance with the law
- Make determinations required by Government Code
 - The equipment is necessary because there is no reasonable alternative that can achieve the same level of officer and civilian safety
 - The policy will safeguard the public welfare, safety, civil rights and civil liberties

Should the council introduce this ordinance, it will be considered for adoption May 2, 2022