




**EAST BAY REGIONAL PARK DISTRICT  
BOARD OF DIRECTORS MEETING  
AGENDA STAFF REPORT**

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<b>DATE</b>	May 7, 2024
<b>TITLE</b>	Preliminary Presentation on AB 481 - Military Equipment and Use Policy
<b>DIVISION</b>	Public Safety
<b>FROM</b>	Giorgio Chevez, Police Lieutenant Roberto Filice, Assistant General Manager of Public Safety
<b>APPROVED</b>	Sabrina Landreth, General Manager 

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**RECOMMENDATION**

None.

**BACKGROUND**

On September 30, 2021, Governor Gavin Newsom signed Assembly Bill 481 into law adding Chapter 12.8, Sections 7070 through 7075 to Division 7 of Title 1 of the Government Code. This new legislation requires that by May 1, 2022, all law enforcement agencies "shall obtain approval from their governing body, via adoption of a military equipment use policy by ordinance prior to the law enforcement agency funding, acquiring, or using equipment identified as military equipment". Staff would emphasize that the term "military equipment", as used in AB 481, does not necessarily indicate equipment that has been used by the military.

Pursuant to AB 481, equipment deemed to be "military equipment" includes, but is not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbang distraction devices. The Police Department is committed to using the most up-to-date equipment to safeguard our community. Many of the items deemed "military equipment" by AB 481 are in fact already deployed by the East Bay Regional Park District's (Park District) Police Department and many other law enforcement agencies across the country in order to specifically reduce the risk to the community and officers. This equipment helps officers to safely resolve volatile incidents which otherwise might result in a lethal force encounter.

Staff has prepared a draft Military Equipment Use Policy with a list of the current equipment used by the Police Department (Attachment I, Exhibit A) and prepared an Ordinance (Attachment I) for the Board's consideration.

Staff will be conducting a community engagement meeting on May 15, 2024, to discuss AB 481 and the equipment used by the Police Department. Staff also posted the proposed policy on the Park District's Police Department portal for community review.

**ANALYSIS**

No analysis is yet available. The Board will be asked to vote on the proposed police policy during the June 18, 2024 Board Meeting. At that presentation, we will share public sentiment based on

feedback generated from the policy posted on the website and from the community engagement meeting on May 15, 2024.

### **FISCAL IMPACT**

There is no fiscal impact from adopting this policy.

### **ATTACHMENTS**

AB 481 EBRPD Police Dept. Military Equipment Listing 2023