

2024



ASSEMBLY BILL 481 MILITARY EQUIPMENT USE

EAST BAY REGIONAL
PARK DISTRICT
POLICE
DEPARTMENT





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WHAT IS AB 481



On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481 (AB 481) which requires California law enforcement agencies to adopt a written Military Equipment Use Policy prior to the Mayor and City Council or “governing body” (hereafter referred to as the Park District Board of Directors) taking certain actions relating to the funding, acquisition, or use of military equipment, as defined within its jurisdiction if the equipment meets specified standards.

Requirements include:

- Create a Military Equipment Use Policy
- Obtain approval of that policy by each agency’s applicable governing body
- Publish that policy 30 days prior to the above required approval hearing
- Create an Annual Report of each agency’s military equipment use
- Hold a community engagement meeting within 30 days of submitting/publicly releasing the above Annual Report





APPROVE "MILITARY" USE POLICY

In addition to identifying items which fall under military equipment, the Military Use policy includes the following information:

- Equipment Description
- Quantity
- Capabilities
- Expected Lifespan
- Quantity
- Purpose and Authorized Use
- Initial Cost and Fiscal Impact
- Legal and Procedural Rules that govern each use
- Required Training
- Compliance Mechanisms
- Procedures in which members of the public may register concerns or [complaints](#)





EBRPD POLICE DEPT. POLICY



Policy
709

ADDENDUM A
East Bay Regional Park District Police Department
East Bay Regional Park District Police Policy Manual

Military Equipment

709.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code §7070; Government Code §7071; Government Code §7072).

709.1.1 DEFINITIONS
Definitions related to this policy include (Government Code §7070):

Governing body – The elected or appointed body that oversees the East Bay Regional Park District.

Military Equipment Categories – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code §30510 and Penal Code §30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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Police Department

Military Equipment - 1

East Bay Regional Park District Police Department

Military Equipment

709.2 POLICY
It is the policy of the East Bay Regional Park District Police Department that members of this department comply with the provisions of Government Code §7071 with respect to military equipment.

709.3 MILITARY EQUIPMENT COORDINATOR
The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- Acting as liaison to the governing body for matters related to the requirements of this policy.
- Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- Conducting an inventory of all military equipment at least annually.
- Collaborating with any allied agency that may use military equipment within the jurisdiction of East Bay Regional Park District Police Department (Government Code §7071).
- Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - Publicizing the details of the meeting.
 - Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code §7072).
- Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

709.4 MILITARY EQUIPMENT INVENTORY
The following constitutes a list of qualifying equipment for the Department:
Included on pages 9-10 in this Annual Report. Also available on our [website](#).

709.5 APPROVAL
The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code §7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code §7071):

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Police Department

Military Equipment - 2



AB 481 REQUIREMENTS

01

COMMUNITY ENGAGEMENT MEETING

Explanation the law and what equipment EBRPD Police Department has in its possession that qualifies under AB 481

02

DISTRICT APPROVAL FOR POLICY AND FUTURE ACQUISITIONS

All future acquisitions (consumables and non-consumables) for equipment which qualifies under AB 481 must be approved for purchase

03

AB 481 ANNUAL REPORT

Information within the annual report includes, but is not limited by, inventory, acquisition cost, annual costs, usage and for what purpose, and if there have been any community questions or concerns





15 CATEGORIES

EBRPD POLICE DEPARTMENT HAS EQUIPMENT IN 5 (FIVE) CATEGORIES

Category 1

Unmanned, remotely piloted, powered aerial or ground vehicles

Category 2

Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers

Category 3

High mobility multipurpose wheeled vehicles (HMMWV), two-and-one half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached

Category 4

Tracked armored vehicles that provide ballistic protection to their occupants

Category 5

Command and Control vehicles that are either built or modified to facilitate the operational control and direction of public safety units

Category 6

Weaponized aircraft, vessels, or vehicles of any kind

Category 7

Battering rams, slugs, and breaching apparatuses that are explosive in nature

Category 8

Firearms of .50 caliber or greater, excluding standard-issue shotguns

Category 9

Ammunition of .50 caliber or greater, excluding standard-issue shotgun ammunition

Category 10

Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in sections 30510 and 30515 of the penal code.

Category 11

Any firearm accessory that is designed to launch explosive projectiles

Category 12

"Flash-bang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray

Category 13

ASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices

Category 14

The following projectile launch platforms and their associated munitions:
40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons

Category 15

Any other equipment as determined by a governing body or a state agency to require additional oversight





EBRPD CATEGORIES

- 1 Unmanned, remotely piloted, powered aerial or ground vehicles
- 2 Mine-resistant ambush-protected vehicles or armored personnel carriers
- 5 Command and Control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
- 10 Specialized firearms and ammunition of less than .50 caliber
- 14 40mm Launchers and Munitions





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