



# STAFF REPORT – CITY COUNCIL MEETING

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August 02, 2023

**TO:** Honorable Mayor and City Council Members

**FROM:** Brian Ahearn, Chief of Police  
Todd Dokweiler, Police Lieutenant

**PREPARER:** Todd Dokweiler, Police Lieutenant

**DATE:** July 11, 2023

**TITLE:** **Approve the Annual Military Equipment Report per Assembly Bill No. 481.**

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## **RECOMMENDATION:**

It is recommended that the Council approve the Annual Military Equipment Report per Assembly Bill No. 481.

## **INTRODUCTION:**

On August 3, 2022, the City Council adopted Ordinance No. 1556, Title III, Chapter 7, Military Equipment Use Policy pursuant to Assembly Bill 481 (“AB 481”). In accordance with AB 481 and the Policy, a military equipment report must be submitted to the City Council annually for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use. In compliance with AB 481, outlined below is the 2023 Annual Military Equipment Report and attached is the updated Policy.

## **BACKGROUND:**

On September 30, 2021, Assembly Bill 481 (“AB 481”) required law enforcement agencies to adopt a military equipment use policy (“Policy”), by ordinance, no later than May 1, 2022. The Police Department complied with AB 481 and adopted Ordinance No. 1556 approving the Policy.

AB 481 also requires law enforcement agencies to submit to the City Council an annual military equipment report (“Report”) on the use of the equipment, any complaint(s) or concern(s) regarding the use of the equipment, results of any internal audits on the use of the equipment, the annual costs for the equipment, the quantity possessed by the agency and the intention to purchase additional equipment in the following year. In addition, within 30 days of submitting and publicly releasing the Report, a well-publicized and conveniently located, community engagement meeting must be held to allow for public comments.

## DISCUSSION:

To meet the requirements of the Report pursuant to AB 481 a review was conducted of the Police Department's military equipment and the findings are reported below.

### **Military Equipment, Use, Amount of Usage, and Annual Cost**

Item	Military Equipment Usage	Amount of Usage	Annual Cost
Mobile Command Vehicle	Field Deployment	0	\$2700.00
Beanbag Shotguns	Training	15	N/A
12 Gauge Bean Bag Munition	Training	30	None Purchased fiscal year 2022/2023
Pepper Ball Launchers	Training	20	N/A
Pepper Ball Munitions	Training	120	None Purchased fiscal year 2022/2023
Patrol Rifles	Training	20	N/A
.223 Caliber or 5.56mm Rifle Ammunition	Training	350	None Purchased fiscal year 2022/2023

### **New Military Equipment Purchased**

During this reporting period one new patrol rifle was purchased at a cost of \$1888.83. This purchase was made in compliance with AB 481 and is included in the updated Policy.

### **Complaints or Concerns**

Staff reviewed department records and determined there were no complaints or concerns reported on the use of the equipment in 2022.

### **Internal Audit**

The Department conducted an internal audit and determined that there were no violations of the military equipment use policy in 2022.

### **Intention to Purchase Additional Equipment in 2023**

The Department does not intend to purchase any additional equipment in the 2023/2024 fiscal year.

In compliance with the requirements of AB 481, this staff report, which includes the annual Report, and the updated Policy were published on the Department's website as of August 1, 2023, which meets the required 30-day publishing period. In addition, a Public Hearing

Notice was posted 10 days prior to this meeting.

### **POLICY IMPLICATIONS:**

This recommended action is consistent with the policy recommendations provided to the Arcata Police Department by Lexipol Corporation. APD Policy 710 has been updated to reflect all relevant 2023 changes.

**COMMITTEE/COMMISSION REVIEW:**

This report was not reviewed by any committee or commission.

**ENVIRONMENTAL REVIEW (CEQA):**

This report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) as it is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Report/Ordinance/Policy codifies, pursuant to statutory requirements, the continued use of existing military equipment. If the use policy adopted changes or additional military equipment is acquired, the potential for significant impacts on the environment will be analyzed under CEQA at such time.

**BUDGET/FISCAL IMPACT:**

There is no fiscal impact related to this annual report.

**ATTACHMENTS:**

- A. Military Equipment List Staff Report 2023 (PDF)
- B. Military\_Equipment Policy 2023 staff report (PDF)