



# **AB 481 Annual Report 2023**

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**Los Altos Police Department**

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## **Military Equipment Use AB 481 Compliance Requirements:**

- Approval of the Military Use Policy (Completed 2022 & 2023, Policy 709)
- Publishing the Policy (Completed 2022 & 2023)
- Annual Report (see below)

## **Annual Report Description:**

Assembly Bill 481 requires the police department report annually on the inventory, procurement, use and misuse of covered military equipment items. The annual report also includes a description of new military equipment the police department seeks City Council approval for acquisition and funding.

Per AB 481, the annual report must include the following:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- (5) The quantity possessed for each type of military equipment.
- (6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

## **LAMC 7.30.010. Military equipment policy (Reviewed 3/28/23, Adopted 4/11/23)**

As required by AB 481, the City Council reviewed this section as an ordinance to approve a military equipment use policy. The City Council's approval shall remain effective for a period of one year, which approval may be revoked, extended, renewed, modified or amended by resolution of the City Council. Within a year of the initial approval, and at least annually thereafter, the City Council will review this section and related resolutions. The City Council may, by resolution, make amendments, modifications or revisions to the military equipment use policy adopted by the Los Altos Police Department. The ordinance must be reviewed and renewed annually.

A. The City Council has made the following determinations:

1. The military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. The proposed military equipment use policy (“Policy”) will safeguard the public’s welfare, safety, civil rights and civil liberties (said Policy is attached hereto as Exhibit “A” and incorporated by this reference).
3. The equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety (if any).
4. Prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

### **Equipment Usage for 2023:**

None of the equipment in the attached military equipment inventory was utilized in 2023, except in training situations including range and SWAT.

### **Summary of Complaints for 2023:**

The Department did not receive any complaints concerning military equipment in 2023.

### **Violations of Policy 709:**

An internal review revealed no violations of Policy 709, as none of the equipment was utilized in 2023 except in training situations.

### **Total Annual Cost for Military Equipment:**

The estimated annual cost for the maintenance of the military equipment in the current inventory is \$4,800. This includes the cost of replacement parts, cleaning supplies, and the staff time to conduct inspections on the equipment.

## **Replacement Military Equipment Inventory List:**

- Replace SAGE CONTROL ORDINANCES baton rounds with DEFTEC sponge rounds. Sponge rounds are utilized in the same manner as SAGE rounds, and the authorized uses remain the same. Sponge rounds are meant to cause pain and incapacitation, but do not have the risk of penetrating flesh since they are comprised on plastic and foam rather than metal. See attached 40MM Sponge Round Spec sheet for further information.

## **New Proposed Items for the Military Equipment Inventory List:**

- UAS (Unmanned Aircraft System): See attached Memorandum with further details on this request