

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: 4/17/2023
Reviewed by: NA

SUBJECT: AB 481 – California Government Code § 7072 Compliance

REPORT BY: John Geissberger, Chief of Police
Justin Kurland, Lieutenant

SUMMARY

Pursuant to AB 481, the police department is required to provide City Council and the public an annual military equipment report, and annually review and renew the City Ordinance regarding this equipment.

STAFF RECOMMENDATION

That Council:

1. Accept this annual military equipment report; and
2. Renew Ordinance No. 2022-02.

BACKGROUND

AB 481 was enacted to increase transparency, accountability, and oversight surrounding the use and acquisition of military equipment by state and local law enforcement.

AB 481 requires the police department submit an annual military equipment report to the governing body regarding the use of the equipment, any complaints received, any internal audits or other information about violations of the military equipment use policy (“Policy”), the cost of such use, and other similar information as stated in the summary.

SUMMARY OF USE OF MILITARY EQUIPMENT AND PURPOSE

There was no use of any of the Albany Police Department owned and approved military equipment during the 2022 - 2023 period.

On September 11, 2022, during the annual Solano Stroll, Alameda County Sheriff’s Office provided assistance using their UAS (drone) to assist with a lost child and with a suspected

vehicle burglary in progress. The purpose was to assist in locating a missing child in a large crowd and to provide support for officers responding to a possible in progress vehicle burglary.

A complete list of all military equipment possessed by the City can be found in the Military Equipment List attached to the Military Equipment Use Policy, which is hereby incorporated by reference.

SUMMARY OF COMPLAINTS RECEIVED

No complaints were received.

RESULTS OF INTERNAL AUDITS, ANY INFORMATION ABOUT VIOLATIONS OF THE MILITARY USE POLICY, AND ANY ACTIONS TAKEN IN RESPONSE

An internal audit was performed on 3/28/23. All inventory was inspected, found to be operational, and accounted for. There were no violations and no actions needed.

TOTAL COST OF EQUIPMENT FOR THE PAST YEAR

Approximately \$1,800.00 was spent on training with the less-lethal 40-mm and 37-mm launchers and less-lethal shotguns. For 2023-2024 period, the police department will utilize funds from the general police budget to pay for any costs related to the use of any military equipment.

PUBLIC MEETING

On May 10, 2023, the Albany Police Department will hold a publicized community meeting, at which the public will have the ability to discuss and ask questions regarding this report and the department's funding, acquisition, or use of military equipment.

PUBLISHING OF REPORT

The Albany Police Department will make this annual military equipment report publicly available on its website once accepted by the Council.

Attachments:

1. Ordinance 2022-02 with Exhibit - Military Equipment Use Policy