

A photograph of several police officers in dark blue uniforms. The focus is on the officers' chests, showing their patches. The patches are circular with a yellow border and blue center, featuring a green tree and the text "VISALIA", "SOUTHERN CALIFORNIA", "GATEWAY TO SEQUOIAS", and "FRIENDLY". The officers are standing in a line, and the background is blurred.

Assembly Bill (AB) 481

VISALIA POLICE DEPARTMENT

June 20, 2022, City Council Session

Agenda Item

AB 481 – Military Equipment Funding, Acquisition, & Use Policy

Introduce and conduct the Second reading of Ordinance No. 2022-09 adopting a proposed Visalia Police Department Military Equipment Policy 708 per California Assembly Bill (AB) 481.

Description & Purpose

AB 481 – Military Equipment Funding, Acquisition, & Use Policy

- Law enforcement agencies seeking the continued use of military equipment shall publish a military equipment policy and have it approved by the governing body (Mayor and City Council), through an ordinance adopting a military equipment use policy.
- AB 481 also requires the City Council's approval of an annual report that summarizes the use of military equipment, complaints received, audits, costs, and other information published by the Department.
 - Hold a community engagement meeting within 30 days of submitting, presenting, and publicly releasing the annual military equipment report.

Surplus “Military Equipment”

DOD 1033 Program

The Visalia Police Department does not have, nor does it utilize, any equipment procured from the United States Department of Defense through the Law Enforcement Support Office (also known as the 1028 or 1033 program).

“Military Equipment” Categories

The Visalia Police Department has equipment that meets the criteria for 7 of the 15 categories.

- Equipment Category 1 - Unmanned, remotely piloted, powered aerial or ground vehicles.
- Equipment Category 2 - Mine-resistant ambush-protected vehicles or armored personnel carriers.
- Equipment 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.
- Equipment Category 4 - Tracked armored vehicles that provide ballistic protection to their occupants.
- Equipment Category 5 - Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

“Military Equipment” Categories

The Visalia Police Department has equipment that meets the criteria for 7 of the 15 categories.

- Equipment Category 6 - Weaponized aircraft, vessels, or vehicles of any kind.
- Equipment Category 7 - Battering rams, slugs, and breaching apparatuses that are explosive in nature.
- Equipment Category 8 - Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Equipment Category 9 - 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 handguns.
- Equipment Category 10 - Any firearm or firearm accessory that is designed to launch explosive projectiles.

“Military Equipment” Categories

The Visalia Police Department has equipment that meets the criteria for 7 of the 15 categories.

- Equipment Category 11 - Noise-flash diversionary devices and explosive breaching tools.
- Equipment Category 12 - Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- Equipment Category 13 - TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices.
- Equipment Category 14 - Kinetic energy weapons and munitions.
- Equipment Category 15 - Any other equipment as determined by a governing body or a state agency to require additional oversight.

Location of VPD Published Inventory

AB 481 – Military Equipment Inventory List

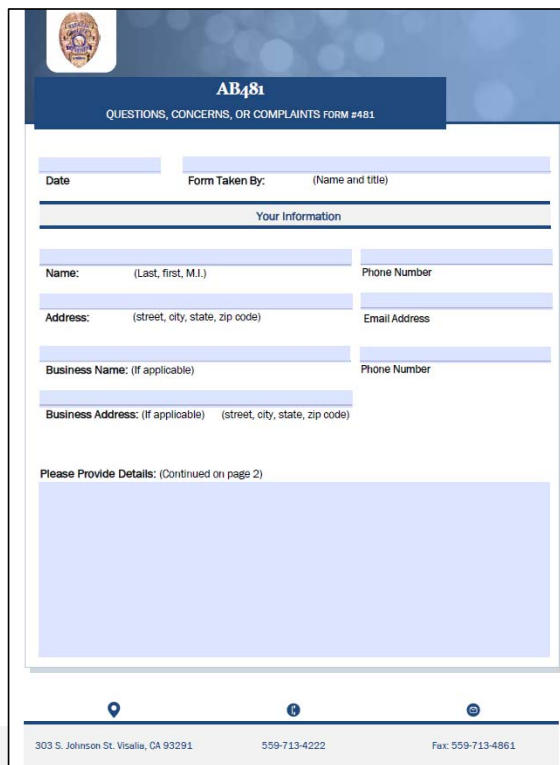
Visalia Police Department Policy 708 which includes a Military Equipment Inventory List was published on the City of Visalia website on April 7, 2022, at least (30) days prior to the adoption of this ordinance approving the proposed policy.

https://www.visalia.city/depts/police/public_records_act/mandated_disclosures.asp

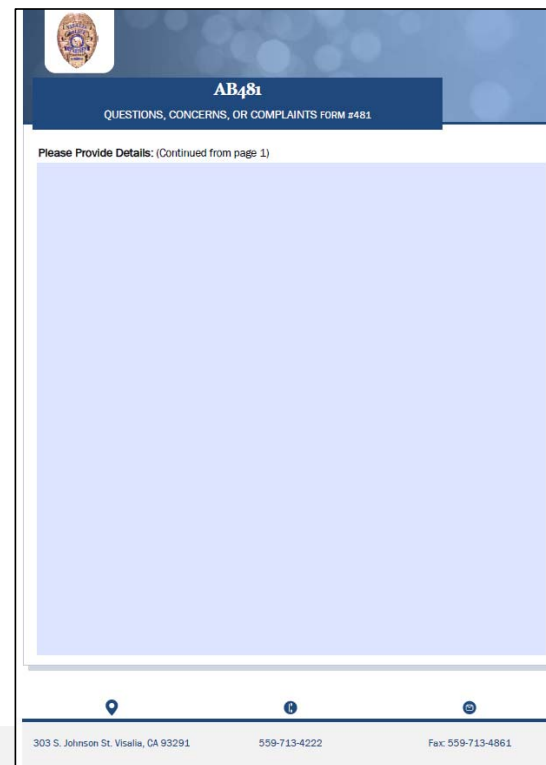
Policy 708 shall be made publicly available on the City of Visalia website for as long as the military equipment contained in the inventory is in use.

Questions/Concerns/Complaints Form

Form #481 – Available on the City of Visalia website.



Form #481: Questions, Concerns, or Complaints Form (Page 1). The form includes a header with the City of Visalia logo and the title "AB481 QUESTIONS, CONCERNS, OR COMPLAINTS FORM #481". It contains fields for "Date" and "Form Taken By: (Name and title)". A section titled "Your Information" includes fields for "Name: (Last, first, M.I.)", "Phone Number", "Address: (street, city, state, zip code)", "Email Address", "Business Name: (if applicable)", "Phone Number", and "Business Address: (if applicable) (street, city, state, zip code)". A large blue box is provided for "Please Provide Details: (Continued on page 2)". The footer contains the address "303 S. Johnson St. Visalia, CA 93291", the phone number "559-713-4222", and the fax number "Fax: 559-713-4861".



Form #481: Questions, Concerns, or Complaints Form (Page 2). The form includes a header with the City of Visalia logo and the title "AB481 QUESTIONS, CONCERNS, OR COMPLAINTS FORM #481". It contains a section titled "Please Provide Details: (Continued from page 1)" followed by a large blue box for providing details. The footer contains the address "303 S. Johnson St. Visalia, CA 93291", the phone number "559-713-4222", and the fax number "Fax: 559-713-4861".

Timeline

Important Dates & Future Actions

- September 30, 2021: CA AB 481, relating to the use of military equipment by law enforcement agencies in the State of California, was signed into law.
- April 7, 2022: Documents pertaining AB 481 have been made available on the City of Visalia website.
- May 16, 2022: First reading of the proposed Ordinance adopting a proposed Visalia Police Department Military Equipment Policy 708 per CA AB 481.
- June 20, 2022: Second reading and adoption for City Council approval of the proposed Ordinance and Visalia Police Department Military Equipment Policy 708.

Recommended Motion

What is Council required to act on tonight?

Introduce and conduct the second reading of Ordinance No. 2022-09 an ordinance to approve the adoption of Visalia Police Department Military Equipment Policy 708 per California Assembly Bill (AB) 481.



Questions?

VISALIA POLICE DEPARTMENT

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Thank You.