



## MEMORANDUM

**TO:** City Council

**FROM:** Michael T. Martinez, Chief of Police

**BY:** David Culver, Police Commander

**SUBJECT:** Annual Military Equipment Report Pursuant to California AB 481

**DATE:** March 25, 2025

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### RECOMMENDATION:

- 1) Receive and file the “2024 Military Equipment Use Inventory Report” and the “2025 Annual Military Equipment Report” in accordance with California Assembly Bill 481, determine that said report meets all standards for approval set forth in Government Code Section 7071(d); and
- 2) Approve the renewal of Ordinance No. 714.

### IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The Arroyo Grande Police Department is currently in possession of items categorized as military equipment following the City Council’s adoption of Ordinance No. 714 – Military Equipment Use Policy. The fiscal impacts associated with Ordinance No. 714 for FY 2024-25 include purchasing specialized equipment, annual training costs, and the replacement of munitions totaling \$11,200. The cost of maintaining the current inventory and purchasing new equipment in 2025 is outlined in the Police Department’s Military Equipment Report.

### BACKGROUND:

On September 30, 2021, Assembly Bill 481 (AB 481) was codified in Government Code Sections 7070 through 7075 and required the governing body of a law enforcement agency to adopt a “Military Equipment Use” Policy (“Policy”) no later than May 1, 2022. The Police Department complied with AB 481 in the development of a policy, holding a community meeting, and making the Policy documents available on their website prior to the City Council adopting the Policy via Ordinance No. 714 (Attachment 3) on [April 12, 2022](#)<sup>1</sup>.

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<sup>1</sup><https://pub-arroyogrande.escribemeetings.com/Meeting.aspx?Id=fabffd28-be87-4183-b1dd-cb426ac96b52&lang=English&Agenda=Agenda&Item=39&Tab=attachments>

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AB 481 requires the City Council to review, at least annually, the Ordinance adopting the Policy, and vote on whether to renew the Ordinance to allow the Police Department to continue to use the equipment covered by the Policy.

**ANALYSIS OF ISSUES:**

AB 481 was introduced to increase transparency and accountability for the funding, acquisition, and use of military equipment by state and local law enforcement agencies. The legislation includes a broad definition of what constitutes “military equipment,” including items such as drones that are commonly used in everyday society by members of the public and have been effectively deployed for many years by law enforcement agencies to respond to emerging threats, civil unrest, and mass casualty events. Furthermore, several of the items AB 481 defines as “military equipment” are not necessarily used by the military but are less-than-lethal, standard issue equipment for peace officers. While possession of such equipment does not warrant its use in common circumstances, this essential equipment is deployed based on the situational necessity to effectively de-escalate intense situations or bring volatile conditions and critical incidents to a safe resolution.

Staff reviewed Department records and determined there were no complaints or concerns raised regarding the use of the City’s military equipment in 2024. Staff’s internal audit of equipment use determined there were no violations of the Policy (AGPD Policy #709) or any other Departmental policy. Included herewith as Attachment 1 is an Annual Military Equipment Report, prepared pursuant to the requirements of Government Code section 7072.

New Equipment for 2025

Staff has reviewed the Police Department’s equipment needs and determined there is no current need to purchase any new, specifically identified Military Equipment in 2025. Based on training and department operations, ammunition inventory levels will be maintained as needed. If the Police Department identifies a need to purchase equipment identified as “Military” per Government code 7070, it will notify the Council for approval prior to the acquisition of equipment.

**ALTERNATIVES:**

The following alternatives are provided for the Council’s consideration:

1. Receive and file the Annual Military Equipment Report pursuant to California AB 481 and renew Ordinance No. 714;
2. Do not renew Ordinance No. 714 or accept the annual Military Equipment Report;  
or
3. Provide alternative direction to staff.

**ADVANTAGES:**

Taking the recommended action will comply with State law requirements and will promote transparency involving the Police Department’s acquisitions, use, and/or purchases of

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equipment identified and defined in AB 481. The equipment outlined in this report is essential to law enforcement's mission.

**DISADVANTAGES:**

No disadvantages are identified.

**ENVIRONMENTAL REVIEW:**

No environmental review is required for this item, as this action is not a "project" per § 15378(b)(5) of the CEQA Guidelines because the action pertains to submittal and approval of information regarding the City's military equipment policy and is therefore an organizational and administrative activity that will not result in direct or indirect physical changes to the environment.

**PUBLIC NOTIFICATION AND COMMENTS:**

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. In accordance with AB 481, the Military Equipment Use Policy was also posted on the Police Department's website, [www.agpd.org](http://www.agpd.org).

**ATTACHMENTS:**

1. 2024 Military Equipment Inventory
2. 2025 Annual Military Equipment Report
3. Ordinance No. 714