



# CITY OF HAYWARD

Hayward City Hall  
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## Cover Memo

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**DATE:** April 26, 2022  
**TO:** Mayor and City Council  
**FROM:** Chief of Police  
**SUBJECT:**

AB 481 Policy Review: Council Work Session to Review Proposed Policy Regarding the Hayward Police Department's Funding, Acquisition, and Use of "Military Equipment", as Defined by Assembly Bill 481

### RECOMMENDATION

That the Council holds a work session to review a proposed policy (Attachment II) regarding the Hayward Police Department's (HPD) funding, acquisition, and use of military equipment, as defined in Assembly Bill (AB) 481 (Attachment III).

### SUMMARY

On January 1, 2022, AB 481, which governs the funding, acquisition, and use of military equipment by law enforcement agencies in the State of California, went into effect. AB 481 specifically requires all law enforcement agencies in California to obtain the approval of their respective governing bodies before funding, acquiring, or using equipment now defined under AB 481 as "military equipment." As the governing body for the HPD, Council is tasked with reviewing and approving, via ordinance at a public meeting, a policy consistent with the requirements in AB 481. The purpose of this staff report and related documents is to present information to the Council regarding the proposed policy and the relevant equipment currently in HPD's inventory. Council has 180 days to approve the policy via adoption of the ordinance once the approval process has been initiated. In this case, Council was provided with copies of the HPD's proposed Military Equipment Use Policy on April 6, 2022, initiating the AB 481 approval process. This means Council has until September 3, 2022 to officially approve the policy via adoption of the ordinance. If Council does not approve the policy via adoption of the ordinance within the 180-day timeframe, the HPD must cease the use of all equipment now defined as "military equipment." HPD does not utilize all of the equipment outlined in AB 481. Given the equipment that is deployed in specialized circumstances, ceasing to have this equipment available for use could be detrimental to HPD and the safety of community members and officers alike as outlined in this report.

### ATTACHMENTS

Attachment I      Staff Report  
Attachment II     Policy 706 - Military Equipment

Attachment III      AB 481  
Attachment IV      HPD Equipment List