



CITY OF HAYWARD

Hayward City Hall
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Cover Memo

File #: LB 23-027, **Version:** 1

DATE: June 20, 2023

TO: Mayor and City Council

FROM: City Manager
Acting Chief of Police

SUBJECT: Military Equipment Use Policy: Review of HPD's Annual Military Equipment Use Report July 2022 - March 2023 and Annual Renewal of an Ordinance Approving Military Equipment Use Policy No. 706 Regarding the Hayward Police Department's Funding, Acquisition, and Use of "Military Equipment," as Defined by Assembly Bill 481

RECOMMENDATION

That the Council renews Ordinance 22-06 (Attachment II), reviews Hayward Police Department's (HPD) Annual Military Equipment Use Report for July 2022 - March 2023 (Attachment III), and renews the HPD's Military Equipment Use Policy (Attachment IV). Additionally, the ordinance authorizes the HPD to continue to use the equipment in its inventory (Attachment V), purchase additional and/or replacement equipment, and remain enrolled in the Law Enforcement Support Office (LESO) Program.

SUMMARY

On January 1, 2022, Assembly Bill (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 is to present information to the Council regarding the ordinance and the relevant equipment currently in the HPD's inventory. Additionally, this staff report will highlight HPD's community engagement efforts and provide recommendations to renew the ordinance.

If Council does not renew the ordinance, the HPD must cease the use of all equipment defined as "military equipment." Such a decision would be detrimental to the HPD and the safety of community members and officers alike, as explained further in this report.

In addition, HPD is also asking for approval from Council to remain enrolled in the Law Enforcement Support Office (LESO) Program.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Ordinance 22-06
Attachment III	Annual Military Equipment Use Report
Attachment IV	Military Equipment Use Policy
Attachment V	Inventory List