



DATE: June 16, 2026

TO: Mayor and City Council

FROM: City Manager
Chief of Police

SUBJECT: Military Equipment Use: Approve the Hayward Police Department's Annual Military Equipment Use Report for April 2025 through March 2026 and Renew Ordinance 22-06 Adopting Military Equipment Use Policy No. 706 in Compliance with Assembly Bill No. 481

RECOMMENDATION

That the City Council: (1) Review the Hayward Police Department's (HPD) Annual Military Equipment Use Report for April 2025 through March 2026 (Attachment II); and (2) Adopt a resolution (Attachment III) renewing HPD's Military Equipment Use Policy No. 706 (Attachment IV) and Ordinance 22-06 (Attachment V). The resolution authorizes the HPD to continue to use the equipment in its inventory (Attachment VI), in accordance with applicable law and policy, and to purchase additional and/or replacement equipment.

SUMMARY

Assembly Bill (AB) 481, which went into effect on January 1, 2022, requires California law enforcement agencies to obtain the approval of a Military Equipment Use Policy via the adoption of an Ordinance by their respective governing bodies before funding, acquiring, or using law enforcement equipment now defined under AB 481 as "military equipment." The City Council adopted Ordinance 22-06, approving HPD's Military Equipment Use Policy No. 706, on July 5, 2022.

Annually, HPD is required to submit a report on the use of Military Equipment for that year for approval by City Council, as well as seek Council approval to renew Ordinance 22-06. Staff has done this each June since 2022.

At this meeting, staff is requesting that Council adopt two resolutions for the following:

1. Approval of HPD's Annual Military Equipment Use Report for April 2025 – March 2026.
2. Renewal of the HPD's Military Equipment Use Policy No. 706.

3. Renewal of Ordinance 22-06, authorizing the continued use of this equipment in accordance with applicable law and policy.
4. Authorization of the purchase of additional and/or replacement equipment, including equipment that will allow the HPD to supplement its existing Unmanned Aerial Systems (UAS) Program with a Drone as a First Responder (DFR) concept.

As indicated under No. 4, the HPD intends to seek authorization to purchase additional equipment to support the implementation of a DFR concept as a part of the HPD’s existing UAS Program. This supplemental concept is discussed in detail in this report, beginning on page 7, and was presented at the Council Public Safety Committee (CPSC) meeting on May 14, 2026. This purchase would be using existing funds that are included in the Fiscal Year 2026-27 adopted budget.

FISCAL IMPACT

The two items listed below are needed to replace, supplement, or upgrade an item currently in the HPD’s inventory. No increases to the General Fund will be requested for these items as discussed further in this report. All purchases have been forecasted and will be funded through asset forfeiture funds, grant funds, and HPD’s existing supplies and services budget.

- UAS (DFR - 8)	up to \$589,000
- <u>Energetic Breaching Tools</u>	<u>\$8,300</u>
TOTAL	up to \$597,300

BACKGROUND

On September 30, 2021, Governor Newsom signed a series of eight (8) pieces of policing reform legislation aimed at increasing transparency around policing. AB 481 was one of those pieces of legislation. AB 481, which became effective on January 1, 2022, was created to address transparency issues in the funding, acquisition, and use of law enforcement equipment that lawmakers have deemed to be “military equipment.” AB 481, codified in California Government Code section(s) 7070 through 7075, required law enforcement agencies to “commence a governing body approval process,” for the adoption of a military equipment use policy by ordinance, in a public forum, by May 1, 2022, in order to continue the use of previously acquired “military equipment.” The bill also required approval, by the governing body in a public forum, before a law enforcement agency could fund, acquire, or use new “military equipment.”

Moreover, the bill requires annual public review and approval actions by the governing body to continue the use of “military equipment.” The bill also requires the City to host an annual community meeting regarding the agency’s use of “military equipment” under the bill. These requirements are more specifically outlined below.

The term “military equipment,” as used in the legislation, does not necessarily indicate equipment used by the military. Items deemed to be “military equipment,” include, but are not limited to equipment such as unmanned vehicles, command and control vehicles,

armored vehicles, pepper balls, less lethal shotguns, and long-range acoustic devices. These types of equipment, as well as others considered “military equipment” under AB 481, are commonly used, and employed by law enforcement agencies across the country to enhance community members’ and officers’ safety. Reference (Attachment VII) for additional background information related to AB 481.

Review of AB 481 Action Taken by Council in 2025

On June 24, 2025, the Council was presented with HPD’s Annual Military Equipment Use Report for the period of April 2024 through March 2025, as well as Ordinance No 22-06, which approved of HPD’s Military Equipment Use Policy No. 706. The Council approved the policy through the adoption of the ordinance at a regular meeting where public comment was allowed. In accordance with AB 481, the proposed policy was made available on HPD’s website 30 days prior to June 24, 2025.

Action Taken by HPD in 2026 to Satisfy the Annual Requirements of AB 481

On May 11, 2026, HPD’s Annual Military Equipment Use Report for the period of April 2025 through March 2026 was added to the HPD’s website. On May 14, 2026, a public presentation on HPD’s Annual Military Equipment Report was conducted at the Council Public Safety Committee Meeting where community members were allowed to participate through discussion and asking questions. This meeting was recorded and can be viewed by community members on the City’s and HPD’s website.

The HPD is requesting the Council adopt a resolution:

1. Approving HPD’s Annual Military Equipment Use Report for April 2025 – March 2026.
2. Renewing the HPD’s Military Equipment Use Policy No. 706,
3. Renewing Ordinance 22-06, authorizing the continued use of this equipment in accordance with applicable law and policy, and
4. Authorizing the purchase of additional and/or replacement equipment, including equipment that will allow the HPD to supplement its existing UAS Program with a DFR concept.

DISCUSSION

By its very nature, law enforcement is an increasingly difficult and dangerous job. History has shown that armed encounters between law enforcement officers in the U.S and heavily armed, violent offenders can be traced back to the prohibition era of the 1920s. During this time, communities were impacted by offenders and organized crime groups who were often armed with automatic weapons, wearing body armor, and using military style tactics to commit offenses (e.g., bank robberies, shootings, etc.). Since that time, law enforcement officers continued encountering heavily armed individuals and groups who were willing to engage in armed confrontations. Traditional methods of law enforcement response placed officers and community members at risk, so new equipment and methods of response had to be developed.

In addition to increased contacts with heavily armed, violent offenders, high-profile international, state, and local incidents contributed to the evolution of law enforcement response and equipment. While this is certainly not an exhaustive list, below are several incidents that led to changes in methods of response and equipment for law enforcement agencies in the United States, including the HPD:

- *Los Angeles, California:* In the 1960s, the first Special Weapons and Tactics (SWAT) Team was formed in response to several incidents involving snipers firing upon community members and officers during rioting.
- *Munich, Germany:* Multiple Israeli athletes were killed during a hostage taking in the Olympic Village during the 1972 Olympic Games in Munich, Germany. During a failed rescue attempt, 9 hostages were killed as the German Police were not trained or equipped to deal with such a sophisticated threat.
- *Hayward, California:* In the mid-1970s, HPD officers responded to a call for service and were fired upon by a subject armed with a high-powered rifle. A 72-hour stand-off ensued after the subject barricaded himself inside his residence and HPD officers were not trained or equipped to deal with such a sophisticated threat. Some HPD officers were sent to retrieve their personal hunting rifles as they were not able to get close enough to the residence without being fired upon. This led to the creation of the HPD's Special Response Unit (SRU).
- *Los Angeles, California:* Two subjects, armed with high-power rifles and body armor, robbed a bank in the North Hollywood neighborhood of Los Angeles. LAPD officers, armed only with pistols, revolvers, and shotguns, were considerably outmatched as the subjects were armed with AK-47 and AR-15 style rifles, which can defeat body armor. In total, nearly 2,000 rounds were fired, 12 LAPD officers were shot, eight community members were shot, and both subjects were ultimately killed after LAPD officers retrieved rifles from a nearby firearms dealer. After this incident, every law enforcement agency in the United States moved to equip officers with carbine rifles.
- *Uvalde, Texas:* A subject, armed with an AR-15 style rifle, shot his grandmother, then drove to an elementary school where he shot multiple students and school staff members in one of the deadliest school shootings in United States history. In total, 19 students and two teachers were killed, and 17 others were critically wounded. The law enforcement response is being investigated by the Department of Justice and has sparked debate regarding methods of response and "military equipment."

In addition to these historical events, recent national events have highlighted the need to continually evaluate methods of response and to maintain "military equipment" in the HPD's inventory, including the following:

- *Monterey Park, California (January 21, 2023):* A subject, in the aftermath of a Lunar New Year Celebration, entered a dance studio and shot multiple people with a “variant of a MAC-11” with an extended, high-capacity magazine. In total, 11 people died and 10 were injured.
- *Half Moon Bay, California (January 23, 2023):* A subject shot and killed 5 men and 2 women, and injured another man, at 2 separate locations before being located in his vehicle and arrested by San Mateo County Sheriff’s Deputies.
- *San Diego, California (May 18, 2026):* 2 subjects opened fire at the Islamic Center of San Diego, which also houses a school. In total, 3 people were shot and killed.

According to The Gun Violence Archive, there have been 150 mass shootings in the United States this year (as of May 18, 2026), which the website describes as shooting incidents where at least four people were killed or wounded.

Additionally, the following national and local statistics further support the need to be prepared to respond and to maintain “military equipment” in the HPD’s inventory:

- According to a study published by the FBI in June 2025, there were 24 active shooter events in the United States in 2024 (a 50% decrease from 2023). From 2020 to 2024, the FBI designated 223 active shooter incidents. This represented a 70% increase in active shooter incidents from the previous five-year period (2015-2019).
- HPD officers responded to 161 calls for service in 2025 where a firearm was shot, either striking a person or an object (car, residence), attempting to strike a person and missing, or reported being heard by a community member, a 23% decrease from 2024.
- HPD officers seized 326 firearms in 2025, a 44% increase from 2024.

Now, perhaps more than ever, law enforcement officers must have access to equipment that will allow them to perform their duties safely and to address sophisticated threats like those highlighted in the examples listed above. Much of the equipment listed in AB No. 481 and included in the HPD’s inventory is to address some of the critical incidents our community members expect us to safely resolve, such as:

- High-risk offender apprehension
- Barricaded subjects
- Hostage rescue
- Dignitary protection
- Crowd control.
- Active shooter response

At the same time, it is critically important that a balance is struck between providing law enforcement officers with the equipment they need and the need to ensure accountability for its use. It is incumbent upon law enforcement agencies to develop appropriate policies,

procedures, and training to ensure such equipment is being used properly. The HPD's equipment inventory (Attachment VI) is governed by policies and procedures and can only be used by HPD officers who have met all training requirements. Much of the equipment listed in HPD's inventory can only be used by members of the SRU during critical incidents and only after SRU members have been trained and have shown proficiency.

It should be noted that much of the equipment listed in AB No. 481 has never been in HPD's inventory nor has HPD sought to acquire it. These categories include:

- Category 3 (Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached)
- Category 4 (Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion)
- Category 6 (Weaponized aircraft, vessels, or vehicles of any kind.)
- Category 8 (Firearms of .50 caliber or greater. Standard issue shotguns excluded.)
- Category 9 (Ammunition of .50 caliber or greater. Standard issue shotgun ammunition is excluded.)
- Category 11 (Any firearm or firearm accessory that is designed to launch explosive projectiles.)
- Category 13 (Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).

HPD "Military Equipment" Usage

The following data includes the uses of the items contained in the HPD equipment inventory for the period of April 1, 2025 – March 31, 2026:

- Robot **(0)**
- Unmanned Aircraft Systems **(62 deployments at 61 separate incidents)**
- Armored Personnel Carrier **(14)**
- Command and Control Vehicle **(0)**
- Breaching Shotgun **(0)**
- Carbine Rifles / Precision and Long Rifles **(0)**
- Noise and Flash Diversionary Devices **(0)**
- Chemical Agents "Tear Gas" (Oleoresin Capsicum) **(0)**
- FN 303 Less Lethal Launcher **(0)**
- 40 mm Less Lethal Launcher **(0)**
- Specialty Ammunition **(0)**

Drone as a First Responder (DFR) Concept

In 2022, the City Council authorized the HPD to operate a UAS Program, which allows for the use of UAS to assist in response to Calls for Service (CFS) and emerging incidents as outlined in HPD Policy 611 (Unmanned Aerial System (UAS) Operations) – HPD Policy 611 is attached for reference (Attachment VIII). HPD created a standalone webpage dedicated to its UAS Program which provides information on the program itself, associated policies and procedures, and a

UAS usage log which provides the date, time, location, and reason for each UAS use case. This webpage and the associated information related to the HPD's UAS Program has been available to the public since the program's inception. Since the UAS Program's inception, HPD has conducted a total of 321 UAS flights to assist with a variety of CFS and emerging incidents, including but not limited to offender apprehension, barricaded subjects, searches for missing persons, etc.. To date, the HPD has not received any complaints regarding UAS usage nor have there been any usages that have violated existing laws, policies, or procedures.

HPD intends to supplement its existing UAS Program with a DFR concept, with the goal of enhancing public safety services and the ability of the HPD and the Hayward Fire Department (HFD) to respond to emerging incidents more effectively and efficiently. This supplemental concept leverages technological advancements that will allow police officers and firefighters to improve emergency response, enhance situational awareness, and support safer outcomes for police officers, firefighters, and community members, all of which can be achieved despite ongoing fiscal and staffing challenges.

What is DFR?:

The DFR concept allows UAS, commonly referred to as drones, to be pre-positioned at strategic locations within the City for immediate deployment to CFS and emerging incidents. This supplemental concept will allow for rapid response to police and fire CFS and emerging incidents using UAS technology, which will result in UAS arriving at a scene before police officers and firefighters. Staff members can use images from UAS to provide real-time, critical information to police officers and firefighters as they respond to CFS and emergencies in a manner consistent with the use of a police or fire helicopter. **This supplemental concept is 100% reactive, meaning it will only be used in response to CFS, community complaints, or direct police officer or firefighter observations.** The following is an example of a typical workflow:

- An incident is reported to the 911 Communications Center by a community member and a UAS is launched and autonomously flown to the scene in response.
- The UAS will typically arrive on scene prior to responding police officers and firefighters (although that is not always the case as staff could be closer to a CFS or emerging incident than the actual launch site).
- Staff in the Real Time Information Center monitor live feed images from the UAS at the scene of the CFS or emerging incident, which will allow them to relay real-time observations to responding police officers and firefighters. This will provide responding staff with crucial information allowing for enhanced situational awareness to inform responses for improved incident outcomes.

Why DFR is Needed?

In evaluating this supplemental concept, the HPD identified several operational needs that DFR can support, some of which are related to ongoing staffing and financial challenges. Undeniable

public safety and operational efficiency benefits exist with this supplemental concept, which include, but are not limited to, the following:

- **DFR provides real-time situational awareness:** DFR allows police officers and firefighters to scale responses to CFS and emergencies using UAS technology based on first-hand observations, real-time threat assessments, and inter-departmental coordination.
- **DFR enhances operational efficiency:** DFR allows for rapid response to CFS and emerging incidents, improving overall response times even when staffing and financial challenges exist. Additionally, DFR allows certain CFS to be visually cleared without physically sending police officers or firefighters to scenes, which allows them to remain in service and prepared to respond to the next emergency.
- **DFR supports de-escalation strategies:** DFR supports de-escalation strategies, particularly in volatile situations, and allows police officers to assess situations and coordinate responses from a safe distance without direct confrontation with subjects. Resources can be coordinated in such a way that create time and distance, which are integral components to achieving safe outcomes, and that prevent incidents from expanding within neighborhoods (e.g., coordinating resources to localize a problem and prevent offender flight into a neighborhood, etc.).
- **DFR enhances police officer, firefighter, and community safety:** DFR allows critical safety information to be relayed to police officers and firefighters as they are responding to emergencies, which will improve safety outcomes and save lives. Examples include, but are not limited to:
 - o Police officers will be able to know directions and environment in which fleeing offenders travel, to avoid ambushes, to coordinate responses to volatile situations from safe distances, to search for missing persons, etc.
 - o Firefighters will be able to assess the structural integrity of buildings prior to entering, observe hazardous materials incidents from safe distances and coordinate evacuations, map the path of neighborhood or wildland fires in real-time, etc.
- **DFR contributes to offender apprehension and case solvability:** DFR will allow for improved response times, allowing police officers to increase the likelihood of offender apprehension during in-progress crimes, the likelihood of case solvability, and it will assist in achieving the goal of seeking justice for victims and their families.

DFR Trial Program:

As a part of the evaluation of this supplemental concept, HPD conducted a trial program in partnership with Axon (current provider of body worn camera, in-car camera, and digital evidence storage technologies) and Skydio (UAS company with their primary manufacturing facility in Hayward). For this trial program, Axon and Skydio provided the technology and associated equipment to the HPD at no cost. The trial program lasted a total of four (4) weeks

during which UAS were remotely launched from the rooftop of City Hall to live CFS and emerging incidents as they were reported to the 911 Communications Center. Existing HPD staff members were temporarily repurposed to support this trial program (without overtime impacts) and they provided real-time information to police officers responding in the field. Additionally, they were able to use UAS to visually clear some CFS without physically sending police officers to scenes. The trial program was primarily limited to a two-mile radius around City Hall based on the location of the launch site.

Preliminary data analysis supports operational efficiency, as highlighted by the following:

- DFR teams worked **a total of two hundred and fifteen (215) hours over twenty-two (22) days.**
- DFR teams **responded to three hundred and twenty-six (326) CFS and visually cleared one hundred and eight (108) CFS without having to physically send a police officer to the scene.**
- The DFR teams **provided operational information and support to police officers and firefighters on one hundred forty-eight (148) of these CFS.**
- The UAS **arrived on-scene first during fifty three percent (53%) of CFS and reduced response times by an average of two (2) minutes and thirty (30) seconds** (when the UAS was available).

DFR Concept Structure:

The HPD intends to leverage existing staff members to support this supplemental concept. UAS would be flown and monitored out of the Real Time Information Center, which will be staffed by two Community Service Officers (CSOs) during times where data shows peak call volumes for both HPD and HFD. These CSOs are current members of HPD and would be repurposed from the HPD Jail in alignment with modifications to HPD Jail operations. These CSOs would undergo certified training in UAS operations, HPD and HFD operations, and UAS laws, policies, and procedures. Additionally, they would be assigned to the HPD's Investigations Division and be supervised by an HPD Sergeant, Lieutenant, and Captain.

DFR Concept and HPD Policy 611:

Prior to City Council approval in 2022 and its inception, HPD did extensive community engagement and outreach in developing the UAS Program, associated training manuals, and associated policies and procedures. One of the primary community concerns expressed by some was regarding authorized use of UAS technology, prohibited use of UAS technology, and individual privacy. In fact, community members and City Council members were engaged in and participated in the development of HPD Policy 611, which has been effective since March 17, 2022 and is available for public consumption on the HPD's website.

The HPD acknowledges these privacy concerns and **the privacy language and associated mandates in HPD Policy 611 will remain unchanged.** HPD staff members will continue to be expressly prohibited from recording or transmitting images of any location where a person would have a reasonable expectation of privacy absent a warrant or exigent circumstances (reference HPD Policy section 611.3).

The section of HPD Policy 611 that addresses prohibited uses of UAS technology will also remain unchanged, with language added to prohibit the manual override of a DFR UAS camera while a UAS is in flight to a call for service. Specifically, HPD Policy 611 expressly prohibits UAS usage to engage in the following (reference HPD Policy section 611.8):

- To conduct random surveillance activities, including the manual override of DFR UAS cameras while a UAS is in flight before arriving in the area of a call for service.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.
- The UAS shall not be weaponized.
- The UAS shall not have facial recognition technology.
- To conduct routine monitoring of a mass gathering, protest, or demonstration where security concerns do not exist or where criminal activity is not occurring.

The section of HPD Policy 611 that addresses authorized uses remains largely unchanged, but for a minor addition specific to this supplemental concept. Specifically, HPD Policy 611 allows UAS usage in a variety of scenarios (reference HPD Policy section 611.6) and the following minor amendment was made related to this supplemental concept:

- A UAS specifically designated to the Drone as First Responder (DFR) program can be deployed to any call for service received by the Hayward Police Department's Dispatch requiring a staff member be dispatched, including using the UAS in lieu of dispatching a staff member.

DFR Concept Oversight:

Consistent with the existing UAS Program, this supplemental concept will continue to remain under City Council and Federal Aviation Administration (FAA) oversight. In addition to falling under the existing HPD policies, which have been approved by City Council, the City Council will continue to receive reports and updates regarding the UAS Program, including this supplemental concept, and will retain the ability to approve or disapprove UAS usage under AB 481 on an annual basis. The HPD will continue its current practice of reporting UAS usage on its website and will thoroughly investigate any allegation of misuse, violation of law, or violation of HPD policies.

DFR Concept and Estimated Budget Impacts:

The HPD acknowledges the financial challenges facing the City as they relate to the estimated costs associated with this supplemental concept. As such, **HPD will not be asking for any additional General Fund allocations or increases for this supplemental concept, and implementation will be contingent upon the HPD's ability to absorb these estimated costs with existing funding sources.**

As previously discussed, the two CSO positions intended for this supplemental concept are already funded in HPD's budget. As such, no new positions are needed. Additionally, the following are related to the estimated costs for implementation:

- **The estimated cost of this supplemental concept is \$589,000 annually**, which includes eight (8) DFR UAS units, associated software, subscriptions and licensing, accessories, batteries, charging stations, etc.
- HPD anticipates funding sources to include a combination of asset forfeiture funds, grant funds, and funds in the HPD's existing adopted supplies and services budget.
- This supplemental concept can be phased and/or scaled up or down based on emerging financial realities.
- It is anticipated the HPD will achieve operational cost-effectiveness and savings over time. For example, this supplemental concept will reduce time on task for police officers and firefighters and can reduce staffing and/or resource needs for larger-scale operations (e.g. UAS can quickly cover more ground during a search and rescue operation than human resources can, etc.).
- While there are costs associated with this supplemental concept, it is significantly less costly than alternative solutions that provide the same operational benefits (e.g. a public safety helicopter program which would cost millions).

DFR Concept and Council Public Safety Committee Questions and Input:

On May 14, 2026, during the HPD's AB 481 public meeting, this supplemental concept was presented and discussed with the members of the CPSC. The following is a summary of that discussion and some of the CPSC questions and input:

- **Cost and funding:** As described above, the DFR program will be funded from HPD's existing budget. The City Manager and HPD also confirmed that vacancy savings will not be used to fund this supplemental concept.
- **DFR concept as use for surveillance:** This supplemental concept will be used solely for responding to CFS and emerging incidents. As described above, HPD Policy 611 applies to the DFR program, which prohibits drones to conduct random surveillance activities.

- **DFR UAS and its ability to capture images during flight:** As a part of the operational design of the DFR UAS, its cameras activate and begin recording when launched and orient on the horizon while in flight. The purpose of the cameras orienting on the horizon during flight is two-fold: 1) to avoid capturing images of uninvolved areas while responding to CFS and 2) to prevent collisions with objects while the UAS is in flight. These DFR UAS possess collision avoidance technology, which means they can fly autonomously to a CFS or emerging incident and avoid colliding with obstacles or other objects (e.g. trees, power lines, other aircraft, etc.). These UAS rely on their cameras and other technologies for collision avoidance, so the cameras remain oriented on the horizon in the direction of travel until they reach the scene of the CFS. When asked, HPD advised the CPSC that a staff member would be unable to manipulate a DFR UAS camera while in flight as that was our understanding of the technology at that time. However, after following up and clarifying with Skydio, it was learned a staff member could physically manipulate a DFR UAS camera during flight. To prevent this and to address the concern raised, HPD Policy section 611.8 was updated to expressly prohibit this and staff members who violate this policy are subject to discipline, including removal from DFR activities. The updated policy language is as follows:
 - HPD Policy section 611.8 now states: *“The UAS video surveillance equipment shall not be used:*
 - *(a) To conduct random surveillance activities, including the manual override of DFR UAS cameras while a UAS is in flight before arriving at the scene of a call for service.”*
- **DFR UAS being used during protests or demonstrations:** The prohibited uses for any UAS, as outlined in HPD Policy 611, will remain in place and include UAS associated with this supplemental concept. Using UAS for routine monitoring during a protest or demonstration where a security concern does not exist or criminal activity is not occurring is expressly prohibited (reference HPD Policy section 611.8).
- **Use of the DFR concept for other City departments:** This supplemental concept can be used for other City departments, including HFD, during responses to CFS, community complaints, or emerging incidents. HFD Chief Ryan Hamre discussed several scenarios in which this supplemental concept can support fire response and firefighter safety. Other possible uses may include responses to Code Enforcement violations, illegal dumping, etc.
- **Other government agencies having access to images collected by DFR UAS:** All images and videos collected using this supplemental concept would be uploaded and stored in Evidence.com consistent with other existing images and videos collected by HPD’s body worn cameras, in-car cameras, etc. Evidence.com is a secure digital evidence storage platform only accessible by HPD staff members with specific clearance to do so and all searches/downloads conducted by HPD staff members are audited in detail. Other government agencies and City departments cannot access or search any digital evidence collected and maintained in this system. Requests for information

would be individually vetted based on criminal investigations, court subpoenas, evidentiary hearings, etc. and would only be provided through official law enforcement channels based on a “need to know/right to know” basis. Any images and videos collected using this supplemental concept cannot be shared with any federal agency for the purpose of immigration enforcement, including ICE consistent with HPD Policy and existing state laws (this would violate HPD Policy, SB 54, and other state laws). All images and videos collected would be retained consistent with existing HPD body worn camera retention schedules (90 days unless images and videos are connected to a current criminal investigation, court proceeding, civil lawsuit, complaint against an employee, etc.).

- **Facial recognition technology and weaponizing DFR UAS:** DFR UAS will not be weaponized nor will they have facial recognition technology as these are expressly prohibited under HPD Police 611 (reference HPD Policy 611 section 611.8).
- **DFR UAS having breaching capabilities:** None of the proposed DFR UAS will have breaching capabilities.

DFR Recommendation:

At the conclusion of the CPSC discussion, the members expressed their support for this supplemental concept and recommended it be sent to the full City Council for authorization. HPD recommends the City Council authorize the implementation of this supplemental concept to HPD’s existing UAS Program as it provides significant community safety benefits.

NEXT STEPS

Upon renewal of the ordinance by the Council, HPD will continue to possess and use the authorized items in accordance with applicable policies and laws. If authorized by the City Council, HPD will also take action to implement the DFR supplemental concept, including bringing back a contract for DRF technology for City Council approval later this year.

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Recommended by: Bryan Matthews, Chief of Police

Approved by:



Jennifer Ott, City Manager