



City of Arts & Innovation

Community Police Review Commission Memorandum

TO: COMMUNITY POLICE REVIEW COMMISSION DATE: MAY 25, 2022
FROM: CITY MANAGER'S OFFICE WARDS: ALL
**SUBJECT: RECEIVE A PRESENTATION REGARDING AN ORDINANCE ADDING
CHAPTER 2.70 TO THE RIVERSIDE MUNICIPAL CODE REGARDING
MILITARY AND SPECIALIZED LAW ENFORCEMENT EQUIPMENT
PURSUANT TO ASSEMBLY BILL 481 AND CALIFORNIA
GOVERNMENT CODE 7070 THROUGH 7075**

ISSUE:

Receive a presentation by Riverside Police Department regarding an ordinance regarding Military and Specialized Law Enforcement Equipment related to the adoption of a Riverside Police Department Military Equipment Policy, pursuant to Assembly Bill 481 and California Government Code sections 7070 through 7075.

RECOMMENDATIONS:

That the Community Police Review Commission receive a report regarding an ordinance associated with Military and Specialized Law Enforcement Equipment.

BACKGROUND:

Assembly Bill 481 (AB481) was signed into law on September 30, 2021, by Governor Gavin Newsom, and became effective on January 1, 2022. The Bill classifies certain specialized law enforcement equipment as "military equipment" and requires a governing body to oversee all future purchases as well as authorized use of this equipment. The Riverside Police Department is proposing that City Council support and approve its Military Equipment Policy, its current inventory of related equipment, and the continued availability for use of that equipment.

Assembly Bill 481 requires the Riverside Police Department to create a "Military Equipment Use Policy." Approval of this policy by the Riverside City Council must be commenced no later than May 01, 2022.

AB481 identifies certain specialized law enforcement equipment as "military equipment," whether or not any branch of the military uses or has used any of the listed equipment, and whether or not the equipment was acquired from the Federal Government. The legislation requires oversight from a governing body for purchase and usage of certain law enforcement

equipment, classified by the legislature as “military equipment.” The governing body of the Riverside Police Department is the Riverside City Council.

On April 26, 2022, City Council approved an Ordinance in accordance with the Assembly Bill 481.

DISCUSSION:

The purpose of this Ordinance is for the Riverside City Council to grant approval of the Riverside Police Department's Military Equipment policy, as well as the acquisition and use of specific law enforcement equipment governed by Government Code 7070. The Department's Military Equipment policy operates in conjunction with other Department policies and continues the Department's high standards for safe and appropriate use of force, use of de-escalation techniques, and transparency following critical incidents. The policy, as well as an annual report, will be submitted to the City Council annually for review and approval.

The list of identified equipment is currently deployed on a regular basis by law enforcement and agencies in Riverside County as well as agencies in other counties throughout the State of California and the nation.

AB481 lists equipment that is recognized and more appropriately identified by local, state, and federal law enforcement agencies as “specialized law enforcement equipment.” Locally, the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) have endorsed the list of specialized equipment which is already in use across the county.

For additional context, the Riverside Police Department has already acquired this equipment in previous years through the budgeting and acquisition processes. This specialized law enforcement equipment is currently and regularly utilized by members of the Riverside Police Department trained in its use.

The itemized list of equipment, as required by AB481, is provided as an attachment to the Riverside Police Department's Military Equipment policy. The listed equipment includes a variety of contemporary law enforcement tools, vehicles, and weapons designed for the preservation of human life in responding to high-risk and critical incidents. The equipment includes such modern commonplace law enforcement equipment as aerial drones, less-lethal weapon systems, mobile command posts, bomb-disposal robots, and search and rescue equipment.

The Riverside Police Department maintains a very high standard of public safety, serving and protecting members of this community, and apprehending criminals who victimize our residents. The Riverside Police Department has traditionally enjoyed the support of our elected officials, who are equally committed to the safety and livability of our community.

Although some of the tools, equipment, and resources classified as military equipment under AB481 may be found in a military environment, most are commonplace modern equipment used by law enforcement and other non-law-enforcement public safety agencies. The included policy attachments provide a list of the relevant equipment currently available for use by the Riverside Police Department.

This specialized law enforcement equipment, which is already in use by the Riverside Police Department and other local law enforcement agencies throughout the county, helps limit high-risk encounters with armed violent suspects. This equipment is necessary to for de-escalation of violent situations to help prevent threats to the safety of responding law enforcement personnel, the public, and the involved suspect(s).

STRATEGIC PLAN ALIGNMENT:

This item contributes to Strategic Priority No. 2 - *Community Well-Being* and Goal No. 2.4 – Support programs and innovations that enhance community safety, encourage neighborhood engagement, and build public trust.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – The development and adoption of a Military Equipment Policy and Ordinance ensures compliance with legislative requirements and creates transparency in RPD operations.
2. **Equity** – The RPD provides public safety services to all residents in the City of Riverside. Through having military equipment readily available, RPD employees have multiple tools at their disposal to enhance community safety.
3. **Fiscal Responsibility** – The adoption of the ordinance ensures RPD is in compliance with state and local legislative requirements allowing for successful procurement of military equipment necessary for department operations.
4. **Innovation** – In order to meet the community's changing needs and prepare for the future, RPD continues to train and develop methods to deploy and serve the community, including but not limited to operating specialized equipment categorizes as military equipment.
5. **Sustainability & Resiliency** – The purpose of adopting the resolution is to ensure the Department remains in compliance with federal, state, and local legislation to procure and maintain equipment to provide public safety services in the present and future, while adapting, and growing with the needs of the community.

FISCAL IMPACT:

There is no fiscal impact associated with the receipt of this report.

Prepared by: Larry V. Gonzalez, Chief of Police
Approved as to form: Megan Stoye, CPRC Manager/Senior Management Analyst

Attachments: Ordinance
Riverside Police Department Policy 705
Attachment A: Military Equipment Inventory
Attachment B: Military Equipment Fiscal Impact