

RECOMMENDATION NO. ____

SUBJECT: RESOLUTION APPROVING MILITARY EQUIPMENT USE POLICY

Submitted By: Johnnie Adams, Chief of Police

REQUESTED ACTION: It is recommended that the Board hold a public hearing on the proposed military equipment use policy and following the hearing, approve the Resolution

BACKGROUND:

Assembly Bill 481 (AB 481), codified in Government Code sections 7070–7075, requires law enforcement agencies to obtain governing body approval—via adoption of a Military Equipment Use Policy by ordinance or resolution—prior to funding, acquiring, or using military equipment. The law, effective January 1, 2022, also mandates annual review, public engagement, and re-adoption of the policy.

On November 12, 2024, the Santa Monica Community College District Board of Trustees adopted SMCPD’s Military Equipment Use Policy 706 and the associated Resolution. As required by AB 481, SMCPD now seeks re-adoption of Policy 706 and approval of the attached Resolution to maintain compliance and continue use of its current inventory. The policy and inventory remain unchanged from the version previously approved.

ANALYSIS:

SMCPD seeks approval of a military equipment use policy so that it can continue to make use of the following equipment, which is unchanged from the previous approval.

Category Number and Description	SMCPD
Category 9 – Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30514 of the Penal Code	
<i>Colt Enhanced Patrol Rifle EPR (16")</i>	10
<i>Winchester Law Enforcement Ammunition (Remington .223) – Duty Ammunition Rounds</i>	1600
<i>Winchester Law Enforcement Ammunition (Remington .223 Frangible Lead Free) – Practice Ammunition Rounds</i>	11,000
Category 12 – Munitions containing tear gas or O.C., excluding standard, service-issued hand-held pepper spray	
<i>FN Herstal 303 PAVA/OC Powder Projectile Rounds</i>	150
Category 14 - Kinetic energy weapons and munitions	
<i>FN Herstal 303 Launcher</i>	2

In order to adopt the proposed resolution, the Board of Trustees has to review the Department’s equipment and future annual reports, and make the following findings required by Government Code 7071:

- A. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- B. The proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights, and civil liberties.
- C. If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- D. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy non-conforming uses and ensure future compliance.

Attachments:

- 1. SMCPD Policy 706, “Military Equipment”
- 2. Resolution