



Agenda Report

Fullerton City Council

MEETING DATE: APRIL 16, 2024

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: JONATHAN RADUS, CHIEF OF POLICE

PREPARED BY: MICHAEL MCCASKILL, POLICE SERGEANT
LAUREN PARKHOUSE, SENIOR ADMINISTRATIVE ANALYST

SUBJECT: FULLERTON POLICE DEPARTMENT POLICY 708 - MILITARY EQUIPMENT USE

SUMMARY

The Police Department requests City Council renew the Military Equipment Use Policy per California Government Code Section 7071 approval.

PROPOSED MOTION

Renew Fullerton Police Department Policy 708 - Military Equipment Use approval.

ALTERNATIVE OPTIONS

- Approve the Proposed Motion
- Do not renew approval
- Other options brought by City Council.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

The request is to renew approval of Policy of Policy 708 – Military Equipment Use. This is an annual review.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Public Safety.

FISCAL IMPACT

No fiscal impact.

BACKGROUND AND DISCUSSION

Assembly Bill (AB) 481, signed into law in 2021, created Government Code Sections 7070 through 7075 and required every law enforcement agency to develop a “Military Equipment Policy” approved by the governing board by May 2022. City Council approved the Fullerton Military Equipment Policy on April 19, 2022.

Government Code Section 7071(e)(1) requires City Council to annually review and reaffirm approval of the Military Equipment Policy. Staff did not add items to the 2023 Policy.

The Fullerton Police Department does not possess tactical equipment obtained from the military through the 1033 Program or United States Code Title 10, Section 2576a. Regardless, California Government Code 7071 requires law enforcement agencies to maintain a Military Equipment Use Policy. California Government Code 7070 has broadened the term “Military Equipment” to include some items specifically designed for law enforcement and some items designed for and available to the public.

Attachments:

- Attachment 1 – Policy 708 Updated April 2024
- Attachment 2 – Summary of Use 2023
- Attachment 3 – Assembly Bill 481 (including Government Codes Sections 7070-7075)

cc: City Manager Eric J. Levitt