



CITY OF POMONA COUNCIL REPORT

May 5, 2025

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: Michael Ellis, Chief of Police

**SUBJECT: RECEIVE AND FILE ANNUAL MILITARY EQUIPMENT USE
REPORT AS REQUIRED BY ASSEMBLY BILL (AB) 481**

RECOMMENDATION:

It is recommended that the City Council receive and file the annual military equipment use report as required by AB 481 for Fiscal Year 2024-25.

EXECUTIVE SUMMARY:

Assembly Bill 481 ("AB 481") went into effect on January 1, 2022, and requires a law enforcement agency to obtain approval of its governing body to enact a military equipment use policy ("policy") before purchasing, using, raising funds for, or acquiring new military equipment.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$500 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$500 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

No Fiscal Impact at this time.

PUBLIC NOTICING REQUIREMENTS:

On April 24, 2025, a community meeting was held at the Historical Society located at 585 E. Holt Avenue to give members of the public the opportunity to ask questions and discuss the annual military equipment report and also the agency's use of military equipment, funding, and acquisition.

DISCUSSION:

On September 30, 2021, Governor Gavin Newsom signed into law AB 481, which added Chapter 12.8, "Funding, Acquisition and Use of Military Equipment," to Division 7 of Title 1 of the Government Code (Sections 7070 – 7075). This new legislation relates to the use of military equipment by California law enforcement agencies. It provides transparency and oversight along with public input on the decisions of how military equipment is funded, acquired, or used by these same agencies.

On January 20, 2025, President Donald J. Trump signed Executive Order 14148. In relation to this new executive order and in conjunction with California Government Code § 7070 (AB 481), California participating Law Enforcement Agencies will complete and sign the Certificate of Compliance annually, by May 31st. The completed Compliance Certificate shall be returned to the California Office of Emergency Services for tracking and compliance confirmation.

In addition to hosting the military equipment use policy on the law enforcement agency's website, each agency must submit an annual military equipment report to the governing body detailing the equipment used in the preceding year. This report must include a summary of how the equipment was used, a summary of complaints received, the result of any internal audit and actions taken in response, the total annual cost and the quantity possessed of each type of military equipment, and any additional equipment the agency intends to acquire in the next year. Each year the governing body must review the annual report and determine whether each type of military equipment identified in that report has complied with the standards for approval set forth above and vote on whether to renew it, in accordance with Government Code Section 7071(e)(2).

Each submittal and public release of an annual military equipment report requires law enforcement agencies to "hold at least one well-publicized and conveniently located community engagement meeting," as described in Government Code Section 7072 (b). The Pomona Police department held a community meeting on April 24, 2025 giving members of the public the opportunity to ask questions and discuss the annual military equipment report and also the agency's use of military equipment, funding, and acquisition.

At this time, The Pomona Police Department does not intend to acquire additional types of military equipment however, future attempts to obtain new equipment will adhere to procedures set forth in the Government Code and our Military Equipment Policy. Purchases for Fiscal Year 2024-25 only included replacement of existing inventory and ammunition (needed to be replenished after being used in either the field and/or for training purposes). Our Department inventory and all costs associated with the use of this equipment is consistent with our Military Equipment inventory list, policy, and department budget, previously approved by Council. It should be noted, these operating

costs are good faith estimates and are subject to changes made by vendors and/or manufacturers based on variables such as: availability, shipping and general market increases.

Prepared by:

Scott Hess
Police Lieutenant

ATTACHMENT(S):

Attachment No. 1 – Military Equipment Report

Attachment No. 2- Pomona PD Certificate of Compliance AB481