


CITY OF ONTARIO

Agenda Report
August 15, 2023

SECTION: **ADMINISTRATIVE** **REPORTS/DISCUSSION/ACTION**

Department: Police Department
Prepared By: Lizceth Zazueta
Department:
Prepared By: Lizceth Zazueta
Staff Member Presenting:
Mike Lorenz, Chief of Police
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 36

SUBJECT: INTRODUCTION OF AN ORDINANCE ANNUALLY ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO GOVERNMENT CODE SECTIONS 7070, ET. SEQ.

RECOMMENDATION: That the City Council introduce and waive further reading of an Ordinance annually adopting the Military Equipment Use Policy and approving the itemized military grade equipment currently in possession of the Ontario Police Department.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Maintain the Current High Level of Public Safety

Pursue City's Goals and Objectives by Working with Other Governmental Agencies

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FISCAL IMPACT: There is no direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: Assembly Bill No. 481 (AB 481) was approved by Governor Newsom on September 30, 2021 to increase transparency, accountability, and oversight surrounding the use and acquisition of military equipment by state and local enforcement. AB 481 added Chapter 12.8, commencing with Section 7070, to the Government Code. Pursuant to Government Code section 7070 et. seq., the City Council must approve a publicly released, written Military Equipment Use Policy (Policy). The Policy must include the type, quantity, capabilities, purposes, and authorized uses of each type of military equipment owned by the law enforcement agency. Additionally, the Policy must include the acquisition and maintenance costs of the equipment, as well as the training required by any officer allowed to use the military equipment. The Policy must also include mechanisms to enforce the Policy and procedures for members of the public to register complaints or concerns about the use of military equipment.

The City Council must adopt the Policy by ordinance after a public hearing held at a regular meeting pursuant to the Brown Act. Be. The Policy must be posted on the Ontario Police Department website at least thirty (30) days before the public hearing. In compliance with Government Code section 7071(a)(2), the Ontario Police Department made the Policy available on the City's website at

<https://www.ontarioca.gov/Police> on June 1st, 2023, and is providing the proposed Policy to City Council as an attachment to this staff report, thereby commencing the approval process of the proposed Policy.