



Mission Statement

*"We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow."*

**CITY OF ROHNERT PARK  
CITY COUNCIL AGENDA REPORT**

Meeting Date: April 9, 2024  
Department: Public Safety  
Submitted By: Tim Mattos, Director of Public Safety  
Prepared By: Andrew Smith, Lieutenant  
Agenda Title: Community Engagement Meeting/Public Hearing to Receive and Approve the Department of Public Safety Annual Report Regarding Military Equipment Use Policy For the Year 2023 and Provide Direction Regarding the Purchase of Six (6) Additional 40mm Less Lethal Launchers.

---

**RECOMMENDED ACTION:**

1. Hold a Community Engagement Meeting/Public Hearing to receive the Department of Public Safety Annual Report regarding Military Equipment Use Policy (AB 481, Gov. Code § 7072(b)) for the year 2023 to allow the public to discuss and ask questions regarding the report and the City's funding, acquisition, or use of military equipment.
2. Discuss and provide direction to staff regarding the purchase of six (6) additional 40mm Less Lethal Launchers and, if the direction is to move forward with the purchase of that equipment, direct Staff to prepare an ordinance adopting a new Military Equipment Use Policy consistent with Government Code Section 7071) to include an addition of six (6) additional 40mm Less Lethal Launchers.

**BACKGROUND:**

AB 481, which was codified at Government Code Sections 7070, *et seq.*, requires, on an annual basis, the Rohnert Park Department of Public Safety (RPDPS) to seek and obtain City Council approval for future acquisition and funding of new military equipment and to provide the City Council and the public a report outlining how the military equipment was used during the prior year to ensure RPDPS is adhering to the policy (RPDPS Policy 706) and the city ordinance (Ordinance No. 977). The City Council provides that approval by passing an ordinance adopting a military equipment use policy.

**ANALYSIS:**

The Rohnert Park Department of Public Safety is committed to maintaining public safety by providing the highest quality police and fire services to the communities we serve. We have an obligation to our communities never to let those who engage in violent criminal behavior dictate the path of life for our city. We know violent crime does not thrive when our available resources and equipment, education, and enforcement are strong and do not allow for an environment where violent criminals are tempted

and emboldened.

The equipment items listed in this annual report are essential tools that may be required to de-escalate intense situations or bring volatile conditions and critical incidents to a safe resolution. The mere possession of this equipment does not warrant its use in every circumstance. However, having this equipment and adequate resources available makes our Department more capable to effectively address violence and threats to the safety to our Rohnert Park communities.

RPDPS has complied with Government Code Section 7072(b) requirements by publishing a draft of its Policy 706 “Military Equipment” on its website within 30 days prior to this community engagement meeting to allow community members to participate, provide feedback, or ask questions about the policy, the RPDPS’s use of the military equipment, and the Department’s proposal to purchase more such equipment.

RPDPS now seeks the approval of an updated military equipment use policy so that it can continue to make use of the following equipment:

**40mm Launchers, Bean Bag Shotguns, and Rounds:** The 40mm launcher affords the ability to use less lethal impact munitions. This allows officers to address a threat from a greater distance and provides an alternative option for deadly force when reasonable. The bean bag shotgun also allows officers to confront a potentially armed or dangerous suspect at a longer distance. This can potentially prevent a deadly force encounter. When necessary, there is no alternative to these less lethal weapon systems.

### **ENVIRONMENTAL ANALYSIS:**

Staff finds the submission of this annual report is exempt under Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment.

### **STRATEGIC PLAN AND COUNCIL PRIORITIES ALIGNMENT:**

*Strategic plan Goal C: Ensure the effective delivery of public services.* This annual report fulfills the requirements for Government Code Section 7072(b) and provides the public with a report that outlines military equipment inventory and usage, thus providing increased transparency and resources for RPDPS personnel to utilize when necessary.

### **OPTIONS CONSIDERED:**

1. Staff is recommending that the Council receive and approve the Department of Public Safety Annual Report regarding the City’s Military Equipment Use Policy for the year 2023. The Annual Report expresses an intent to acquire additional military equipment for law enforcement use, and should Council direct staff to make the purchases, staff will return at a future meeting to introduce an ordinance adopting a new Military Equipment Use Policy to include an addition of six (6) additional 40mm Less Lethal Launchers.

Alternative option: The Council can direct staff not to purchase of six (6) additional 40mm Less Lethal Launchers at this time and to not accept and approve the Annual Report. However, this is not recommended because the response time for deploying this tool at a scene can be delayed due to it not being readily available in the officer's car.

**FISCAL IMPACT/FUNDING SOURCE:**

There is no fiscal impact to the City Council receiving and approving the Annual Report regarding the Military Equipment Use Policy For the Year 2023 and considering the purchase of six (6) additional 40mm Less Lethal Launchers. Should the Council direct staff to purchase additional Launchers, the fiscal impact of purchasing six (6) additional 40mm launchers will be approximately \$6,000. Three (3) launchers will be paid for by the budgeted funds in the FY 23/24 approved budget. An additional \$3,000 for the purchase of three (3) additional launchers will be requested in the FY 24/25 budget.

**Code Compliance Approval Date:** N/A

**Department Head Approval Date:**

**Finance Approval Date:** N/A

**Human Resources Approval Date:** N/A

**City Attorney Approval Date:**

**City Manager Approval Date:**

**Attachments** (*list in packet assembly order*):

1. 2023 Annual Report Regarding Military Equipment Use Policy For the Year 2023
2. Policy 706