

California Assembly Bill 481: Military Equipment Funding, Acquisition, and Use Policy 2023 Annual Update

Assistant Police Chief Torres



March 18, 2024
City Council Meeting

Agenda



- What is Assembly Bill 48 I?
- “Military Equipment” Defined and Categorized
- San Leandro Police Inventory by Category
- How We Used the “Military Equipment”
- 2024 Community Police Review Board Feedback
- Concerns
- Policy Violations
- Additional Requests





What is Assembly Bill 481?

- Signed into law by Governor Newsom on September 30, 2021
- Increases transparency, accountability and oversight for funding, acquisition and use of specified equipment
- Provides safeguards to protect public welfare, safety, and civil liberties
- Defines and categorizes “military equipment”
- Requires law enforcement agencies possessing “military equipment” to seek City Council approval for the procurement and continued use of such equipment
- Requires an annual report to summarize usage, updates, community concerns and internal audits/policy violations





Military Equipment* – Defined and Categorized

- Unmanned, remotely piloted, powered aerial or ground vehicles (Category 1)
- Mine-resistant ambush-protected vehicles or armored personnel carriers (Category 2)
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached (Category 3)
- Tracked armored vehicles that provide ballistic protection to their occupants (Category 4)
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units (Category 5)
- Weaponized aircraft, vessels, or vehicles of any kind (Category 6)
- Battering rams, slugs, and breaching apparatuses that are explosive in nature (Category 7)
- Firearms of .50 caliber or greater (Category 8) |
- Ammunition of .50 caliber or greater (Category 9)
- Specialized firearms and ammunition of less than .50 caliber (Category 10)
- Any firearm or firearm accessory that is designed to launch explosive projectiles (Category 11)
- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray (Category 12)
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (Category 13)
- Kinetic energy weapons and munitions (Category 14)
- Any other equipment as determined by a governing body or a state agency to require additional oversight (Category 15)

*Highlighted represents SLPD existing PD Equipment



SLPD Military Equipment - Categorized

Category 1

- Unmanned, remotely piloted, powered aerial or ground vehicles
 - Tactical Robot
 - Unmanned Aerial Vehicle

Category 2 & 3

- Mine-resistant ambush-protected vehicles or armored personnel carriers (Cat 2)
- MedEvac Armored Personnel Carrier
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached (Cat 3)
- Battering ram attached to the MedEvac Armored Personnel Carrier

Category 5

- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
 - Mobile Command Post
 - Mobile Hostage Negotiations Team Operation Command Vehicle

Category 7

- Battering rams, slugs, and breaching apparatuses that are explosive in nature
 - Breaching Shotguns
 - Breaching Rounds



SLPD Military Equipment - Categorized

Category 10

- Specialized firearms and ammunition of less than .50 caliber
 - AR-15 Rifles
 - .308 Sniper Rifle
 - Rifle Ammunition

Category 11

- Any firearm or firearm accessory that is designed to launch explosive projectiles
 - Bean Bag Shotgun
 - 40MM Launcher

Category 12

- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray
 - Flash Bangs
 - Chemical Agents

Category 14

- Kinetic energy weapons and munitions
 - 40MM Tactical Launcher
 - Bean Bag Shotgun
 - Bean Bags

2023 Community Police Review Board Feedback

- Presented to the CPRB on April 19, 2023
- Board unanimously (6-0, with one absence) voted to communicate to Council the following five recommendations made to the Police Department [paraphrased for brevity]:
 - Designate the CPRB as the annual community engagement forum
 - Specify items 1 – 4 (robots and aerial vehicles) shall not be used for deadly force
 - Consider excluding or defining “exigent circumstances” from Policy 707
 - Consider specifically excluding categories of military equipment which the department does not currently possess
 - Review policy to assure compliance with Assembly Bill 48 (use of chemical agents /kinetic energy projectiles for 1st Amendment assemblies)

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 - Consider specifically excluding categories of military equipment which the department does not currently possess

Green = Accepted Orange = Partially Accepted

Military Equipment Usage in 2023



* Non-training settings May 1, 2023 – December 31, 2023



SLPD Military Equipment – Category I

Unmanned Aerial Vehicles

- 25 Deployments
 - Barricaded Subjects
 - Scene Mapping
- Used in Searches for:
 - Armed Individuals
 - Burglary Suspects
 - Theft Suspects
 - Robbery Suspects
 - Attempt/Murder Suspect
 - Missing Persons
 - Evidence Retrieval



SLPD Military Equipment – Category 2 & 3

MedEvac
Armored
Vehicle

- **8 Deployments**
 - **Barricaded Subjects**
 - **Active Shooter**
 - **Armed Subject**
 - **Shooting**



SLPD Military Equipment – Category 5

Mobile Command Post

- 2 Deployments
 - Cherry Festival Command Post
 - Barricaded Subject Command Post

Mobile Hostage Negotiations Command Vehicle

- 0 Deployments



SLPD Military Equipment – Category 12

Noise-Flash Diversionary Devices

- 2 Deployments (same incident)
- Barricaded Subject in Stationary Vehicle

40MM Launcher

- 1 Deployment (6 device launches)
- Barricaded Subject in Stationary Vehicle

CS Gas Ferret

- 6 Deployments w/ 40MM Launcher (same incident)
- Barricaded Subject in Stationary Vehicle

CS Gas Canister

- 2 Deployments (same Incident)
- Barricaded Subject in Stationary Vehicle

2024 Community Police Review Board Feedback

- Community Meeting – February 21, 2024
- Board unanimously voted on the following recommendations [paraphrased for brevity]:
 - Add specific language to exclude from future acquisition:
 - Tracked Armored Vehicles
 - Weaponized Aircraft
 - Firearms and Ammunition of .50 caliber or greater
 - TASER Shockwave, microwave weapons, water canons and long-range acoustic devices
 - Delete Policy Section 707.7 regarding “Exigent Circumstances”

2024 Community Police Review Board Feedback

- Community Meeting – February 21st
- Board unanimously voted on the following recommendations [paraphrased for brevity]:
 - Add specific language to exclude from future acquisition:
 - Tracked Armored Vehicles
 - Weaponized Aircraft
 - Firearms and Ammunition of .50 caliber or greater
 - TASER Shockwave, microwave weapons, water canons and long-range acoustic devices
 - Delete Policy Section 707.7 regarding “Exigent Circumstances”

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707.4 Policy Revision – Equipment Inventory

- The following equipment is not authorized for use by the San Leandro Police Department:
 - Tracked Armored Vehicles
 - Weaponized aircraft of any kind
 - Firearms and ammunition of .50 caliber or greater
 - TASER Shockwave, microwave weapons and long-range acoustic devices
- **Water Canons are authorized to be used for fire suppression purposes only.**

707.7 Policy Revision – Exigent Circumstances

- If there is a good faith belief that an emergency involving the danger of, or imminent threat of, death or serious physical injury to any person ~~or destruction of property~~ is occurring, has occurred, or is about to occur, and with the approval of the Chief of Police or designee, the department may acquire, borrow and/or use military equipment that is not included in the military equipment inventory section of this policy.

Military Equipment Related Policy Violations

- None

2023 Acquisitions/Costs – Category I

- Unmanned Aerial Vehicles
 - (5) DJI M30T Matrice Drones
 - Acquired in November 2023
 - Replaced (6) DJI Mavic 2 Drones
 - \$9,637/each
 - (2) DJI Mini-4 Drones
 - Acquired October 2023
 - Replaced (2) DJI Mavic Ultra-Lights
 - \$1,159/each

2023 Acquisitions/Costs – Category 5

- Mobile Command Post
 - Maintenance/Repair
 - November 2023
 - Starter and Generator Repair/Oil Change
 - \$1,913.46

2024 Acquisitions – Category I

- DJI Matrice 30T
 - 8 Drones were decommissioned in 2023
 - 7 Drones were purchased to replace the decommissioned drones
 - Future purchase to replace the 8th decommissioned drone
 - FY 24/25
 - Approximately \$10,000

2024 Acquisitions – Category 10

- Primary Weapon Systems Patrol Rifle
 - AB 481 approved purchase of 40 rifles in 2023
 - Replacement of personally owned and older rifles
 - 20 budgeted for FY 23/24
 - Order placed for 20 rifles in February 2024
 - \$51,999.90 (\$2,600/each)
 - Goal to purchase remaining 20 in FY 24/25
 - Approximately \$3,000/each

2024 Acquisitions – Category 10

- Rock River Arms Upper Half Receiver Rifle Replacement Parts
 - Convert existing 16 SWAT Rifles to Patrol Officer Use
 - Approximately \$10,000 total

2024 Acquisitions – Category 10

- .223 Ammunition
 - Replenish to 75,000 rounds (27,000 rounds)
 - Approximately \$420 - \$880/1000 rounds
- .308 Ammunition
 - Replenish to 4,000 rounds (470 rounds)
 - Approximately \$250/200 rounds

2024 Acquisitions – Category I2

- 40MM Ferret CS Barricade Round
 - Replenish to 39 canisters (6 additional)
 - Approximately \$25.05/round
- Distractionary Device
 - Replenish to 31 (11 additional)
 - Approximately \$68.55/device

Requests for 2024

- No Net New Items

SLPD Assembly Bill 48 I Website

- Current Policy
- Current Inventory
- [https://www.sanleandro.org/1077/Assembly-Bill-48 I](https://www.sanleandro.org/1077/Assembly-Bill-48I)