

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

Chief Abdul D. Pridgen



Staff Introductions



- Chief Abdul Pridgen
- Assistant Police Chief Luis Torres
- Captain Khan
- Lieutenant Brian Anthony

Agenda



- What is Assembly Bill 481?
- “Military Equipment” Defined and Categorized
- San Leandro Police Inventory by Category
- How We Used the “Military Equipment”
- Community Police Review Board Feedback
- 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 and internal audits





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

Military Equipment Usage in 2022/2023



* Non-training settings May 16, 2022 – April 30, 2023



SLPD Military Equipment – Category I

Matrice 300
UAV

- 35 Deployments
 - Warrant Service
 - Barricaded Subjects
 - Suicidal Subjects
 - Scene Mapping
 - Search for:
 - Armed Individuals
 - Burglary Suspects
 - Theft Suspects
 - Robbery Suspects
 - Arson Suspect
 - Attempt/Murder Suspect
 - Prowlers
 - Restraining Order Violations
 - Missing Persons

SLPD Military Equipment – Category I



Mavic 2 UAV

- 4 Deployments
- Warrant Services
 - Murder Suspect
 - Robbery Suspect



SLPD Military Equipment – Category I

Mavic Ultra
Light UAV
(Mini)

- 5 Deployments
 - Warrant Services
 - Murder Suspect
 - Robbery Suspect
 - Barricaded Subject
 - Domestic Violence

SLPD Military Equipment – Category 2 & 3



Summary of Incidents

- 12 Deployments
 - Warrant Services
 - Murder Suspect
 - Attempt Murder Suspect
 - Robbery Suspects
 - Barricaded Subject
 - Active Shooter
 - Armed Subject



SLPD Military Equipment – Category 5

Mobile Command Post

- 5 Deployments
- Warrant Services
 - Homicide
 - Attempt Homicide
 - Robbery

Mobile Hostage Negotiations Command Vehicle

- 5 Deployments
- Warrant Services
 - Homicide
 - Attempt Homicide
 - Robbery



SLPD Military Equipment – Category 11 & 14

Bean Bag Shotgun/Rounds

- 5 Incidents that Bean Bag Shotguns Were Fired
- 19 Rounds Bean Bag Rounds Fired
 - 5 Deployments
 - Subject Armed with a Knife
 - Vehicle Window Breach

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:
 - 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)

Community Engagement Forum

- Amended Policy Section 707.9 to read:
 - “Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting **at a regularly scheduled Community Police Review Board Meeting**, at which **time** the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.”

Robots and Aerial Vehicles Used for Deadly Force

- Amended “Legal and Procedural Rules” section under items 1 - 5 in the Military Equipment Inventory by adding the following language:
 - **“At no time shall anything be added/attached to the robot/aerial vehicle to make it weaponized.”**

Exclude or Define “Exigent Circumstances”

- Amended language to Policy Section 707.7 to read:
 - **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, ~~In exigent circumstances~~** 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.

Exclude Military Equipment Not Currently in Possession

- Not necessary since we are not asking Council to approve its usage

Assembly Bill 48 Compliance

- Assure compliance with AB 48, which restricts the use of chemical agents/kinetic energy projectiles for First Amendment Assemblies
 - Already incorporated into Policy 431
 - Amended Military Equipment Inventory by referencing Policy Section 431 in Items 24 - 28

Purchase Request – 40 Primary Weapon Systems Rifles

- 40 Patrol Rifles
 - Primary Weapon System Rifles
 - Approximately \$3,000 each (\$120,000 total)
 - Supplemental Law Enforcement Services Fund (Non-General Fund)
 - Replacement of all personally owned rifles

Purchase Request – 5 Small Unmanned Aerial Vehicles

- 5 Additional Small Unmanned Aerial Vehicle sUAV's
 - DJI Matrice 30T sUAV
 - Approximately \$20,000 each (\$100,000 total)
 - Supplemental Law Enforcement Services Fund (Non-General Fund)
 - Increase from 9 sUAV's to 14
 - 1 x DJI Matrice 300 RTK
 - 6 x DJI Mavic 2
 - 2 x mini/ultra light
 - * 5 x DJI Matrice 30T

Additional Requests

- Ability to replenish/replace existing inventory
 - Add policy section 707.5.1:
 - **“For all previously-approved equipment, the Department has the authority to purchase replenishment items throughout the year as needed to maintain adequate inventory due to use, breakage, or expiration.”**

SLPD Assembly Bill 481 Website

- Current Policy
- Current Inventory
- <https://www.sanleandro.org/1077/Assembly-Bill-481>