



2023

Annual Military Equipment Report

SAN FERNANDO POLICE DEPARTMENT

Military Equipment Use AB 481 Compliance Requirements:

- Approval of the Military Use Policy (Completed 2022, Policy 706)
- Publishing the Policy (Completed 2022)
- Annual Report (see below)

Annual Report Description:

Assembly Bill 481 requires the police department report annually on the inventory, procurement, use, and misuse of covered military equipment items. The annual report also includes a description of new military equipment for which the police department seeks City Council approval for acquisition and funding.

Per AB 481, the annual report must include the following:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- (5) The quantity possessed for each type of military equipment.
- (6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

San Fernando Ordinance No. 1711 Military Equipment Policy

As required by AB 481, the San Fernando City Council reviewed this section as an ordinance to approve a military equipment use policy. The City Council's approval shall remain effective for a period of one-year, which approval may be revoked, extended, renewed, modified or amended by ordinance of the City Council. Within a year of the initial approval, and at least annually thereafter, the City Council will review this Ordinance. The City Council may, by ordinance, make amendments, modifications or revisions to the military equipment use policy adopted by the San Fernando Police Department. The ordinance must be reviewed and renewed annually.

A. The City Council has made the following determinations:

1. The military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. The proposed military equipment use policy (SFPD Policy 706) will safeguard the public welfare, safety, civil rights and civil liberties (said Policy is attached hereto as Exhibit “A” and incorporated by this reference).
3. The equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety (if any).
4. Prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

Equipment Usage for 2023:

The equipment was not used during training situations or in the field in 2023.

Summary of Complaints for 2023:

The Department did not receive any complaints concerning military equipment from January through December 2023.

Violations of Policy 706:

An internal review revealed no violations of Policy 706, during 2023.

Total Annual Cost for Military Equipment:

In 2023, the Department range staff spent approximately 20 hours maintaining its inventory of Colt AR-15 patrol rifles. No new or replacement equipment was required during this period. The estimated cost for the maintenance of the military equipment in the current inventory is \$2000. This includes the cost of cleaning supplies, and the staff time to conduct inspections, maintenance, and repairs on the equipment.

REPLACEMENT MILITARY EQUIPMENT INVENTORY LIST:

1. Tear Gas/Chemical Munitions (Category 12)

Description:

Chemical agent munitions, commonly called “tear gas,” are used as a non-lethal option/tool to disperse rioting subjects/barricaded suspects per San Fernando Police Department Policy and applicable law. Generally, chemical agents can be used to dislodge a suspect from a location with the least possible danger to the community, police, and suspect during high-risk tactical incidents. Chemical agents can prevent an armed suspect from accurately firing at the community and/or officers. They can also be used in limited instances during civil unrest when objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including the officer, or bring a dangerous and unlawful situation safely and effectively under control.

CS (Chlorobenzylidenemalononitrile) and OC (Oleoresin Capsicum). CS is an irritating agent and lachrymator (irritates the eyes and causes tears to flow). CS has been medically tested in the UK and US, specifically by the U.S. Army. There are no known allergic reactions to CS. OC was de-regulated in California in 1996, is endorsed by the FBI, and is available to civilians to possess (2.5 oz. or less) legally. OC is an inflammatory agent that causes involuntary eye closure (open in 2-5 minutes) and respiratory inflammation (subsides in approximately 2 minutes).

Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Vicious animals.
- Training exercises or approved demonstrations.
- Non-lethal force.

Authorized Use:

Only officers who have received POST certification or manufacturer-specific training in the use of chemical agents are authorized to use chemical agents and, in a manner, consistent with the Department Policy and Training.

Expected Lifespan:

All munitions lifespan is 5 years from the date of manufacture.

Fiscal Impact:

Initial cost of \$1500 per munition category. The fiscal impact of the chemical munitions is between \$0 – \$2000 annually, depending on usage.

Training:

Officers utilizing chemical agents must be certified by a chemical agent instructor. Additionally, officers will receive ongoing in-service training.

Legal and Procedural Rules:

Use is established in the Department Manual (Use of Force and Chemical Agents). It is the policy of the Department to utilize chemical agents only for official law enforcement purposes, and according to State and Federal law, including those regarding the use of force.

Total Purchase Cost:

a. CS Direct Impact 40mm Munition (50)

i. Acquisition Cost: \$1,550

ii. Estimated Annual Cost: \$0-\$1,550

iii. Actual Annual Operating Cost: \$0

b. CS Spede-Heat Long Range 40mm Munitions (40)

i. Acquisition Cost: \$885

ii. Estimated Annual Cost: 0-\$885

iii. Actual Annual Operating Cost: \$0

c. CS Ferret 40mm Munitions (20)

i. Acquisition Cost: \$400

ii. Estimated Annual Cost: \$0-\$400

iii. Actual Annual Operating Cost: \$0

d. CS Muzzle Blast 40mm Munitions (10)

i. Acquisition Cost: \$270

ii. Estimated Annual Cost: \$0-\$270

iii. Actual Annual Operating Cost: \$0

e. CS Liquid Ferret 12 Gauge (100)

i. Acquisition Cost: \$600

ii. Estimated Annual Cost: \$0-\$600

iii. Actual Annual Operating Cost: \$0

f. OC Liquid Ferret 12 Gauge (100)

i. Acquisition Cost: \$600

ii. Estimated Annual Cost: \$0-\$600

iii. Actual Annual Operating Cost: \$0

g. CS Stinger Grenades (20)

i. Acquisition Cost: \$810

ii. Estimated Annual Cost: \$0-\$810

iii. Actual Annual Operating Cost: \$0

2. PepperBall Launcher and Projectiles

Description:

PepperBall Variable Kinetic System Carbine Launcher, further described as a device that uses high pressure air to deliver PAVA powder projectiles (like a paint ball delivery

system Capabilities: System capable of launching projectiles at a subject up to 60 feet. System capable of area saturation up to 150 feet. Non-lethal option to offer law enforcement officers to deliver chemical agents and kinetic energy impacts to subjects in a potentially violent encounter. De-Escalation tool used to avoid further injuries or lethal options on a subject. IV. Purchase Cost: \$899.00 each b) Authorized Use: Only assigned operators who have completed the required training shall be permitted to operate the PepperBall Variable Kinetic System Carbine Launcher. d) Expected Life Span: No expiration. e) Fiscal Impact: No fiscal impact other than initial purchase.

Purpose:

This Department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used to de-escalate a potentially deadly situation. Refer to Use of Force policy (Policy 304.7.2).

Authorized Use:

Only officers who have received POST certification or manufacturer-specific training in the use of chemical agents are authorized to use chemical agents and, in a manner, consistent with the Department Policy and Training.

Expected Lifespan:

All munitions lifespan is 5 years from the date of manufacture.

Fiscal Impact:

Initial cost of \$1500 per munition category. The fiscal impact of the chemical munitions is between \$0 – \$2000 annually, depending on usage.

Training:

Officers utilizing chemical agents must be certified by a chemical agent instructor. Additionally, officers will receive ongoing in-service training.

Legal and Procedural Rules:

Use is established in the Department Manual (Use of Force and Chemical Agents). It is the policy of the Department to utilize chemical agents only for official law enforcement purposes, and according to State and Federal law, including those regarding the use of force.

The Police Department possesses the following pepperball launcher equipment:

a. PepperBall Launcher (6)

- i. Acquisition Cost: \$7,500
- ii. Estimated Annual Cost: \$0-\$2,000
- iii. Actual Annual Operating Cost: \$0

b. PepperBall Live Projectile (3,000)

- i. Acquisition Cost: \$6,824
- ii. Estimated Annual Cost: \$0-\$6,824
- iii. Actual Annual Operating Cost: \$0

3. Projectile Launcher Platforms and Associated Munitions

Description:

Defensive Technology 40mm Single Shot Launcher (model 1327), further described as a Less-Lethal system, not a firearm, that uses smokeless powder to deliver 40mm projectiles from a safe distance.

Purpose:

This Department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used to de-escalate a potentially deadly situation. Refer to Use of Force policy (Policy 300) and Kinetic Energy Projectile Devices policy (Policy 304.9).

Authorized Use:

Only Department personnel who have successfully completed a Department-approved training course in the proper use and deployment of Kinetic Energy Weapons are authorized to deploy them during operations.

Expected Lifespan:

No expiration

Fiscal Impact:

No fiscal impact other than initial purchase of launchers.

Training:

Officers utilizing kinetic energy projectiles must be certified by a kinetic energy weapon instructor. Additionally, officers will receive ongoing in-service training.

Legal and Procedural Rules:

Use is established in the Department Manual (Use of Force and Chemical Agents). It is the policy of the Department to utilize kinetic energy projectiles only for official law enforcement purposes, and according to State and Federal law, including those regarding the use of force.

The Police Department possesses the following projectile launcher equipment:

a. Tactical 40mm Single Shot Launcher (8)

- i. Acquisition Cost: \$10,000
- ii. Estimated Annual Cost: \$0-\$2,000
- iii. Actual Annual Operating Cost: \$0

b. Multiple Shot 4mm Tactical 4-Shot Launcher (2)

- i. Acquisition Cost: \$4,000
- ii. Estimated Annual Cost: \$0-\$2,000
- iii. Actual Annual Operating Cost: \$0

c. Bean Bag Shotgun (8)

- i. Acquisition Cost: \$8,000
- ii. Estimated Annual Cost: \$0-\$1,000
- iii. Actual Annual Operating Cost: \$0

d. Exact Impact 4mm Sponge Munition (250)

- i. Acquisition Cost: \$4,800
- ii. Estimated Annual Cost: \$0-\$4,800
- iii. Actual Annual Operating Cost: \$0

e. Bean Bag 4mm Munition (80)

- i. Acquisition Cost: \$2,000
 - ii. Estimated Annual Cost: \$0-\$2,000
 - iii. Actual Annual Operating Cost: \$0
- f. Stinger 4mm 60-Caliber Munition (50)
 - i. Acquisition: \$1,500
 - ii. Estimated Annual Cost: \$0-\$1,500
 - iii. Actual Annual Operating Cost: \$0
- g. Bean Bag 12 Gauge Munition (800)
 - i. Acquisition Cost: \$4,000
 - ii. Estimated Annual Cost: \$0-\$4,000
 - iii. Actual Annual Operating Cost: \$0
- h. Rubber Ball Stinger 12 Gauge (60)
 - i. Acquisition Cost: \$360
 - ii. Estimated Annual Cost: \$0-\$360.
 - iii. Actual Annual Operating Cost: \$0

Although deployed as an option during certain occasions, none of the aforementioned equipment was actually used during the period of January 2023 through December 14, 2023. The Police Department is providing this disclosure pursuant to the requirements of AB 481. In addition, the Police Department has not received any complaints or concerns about the aforementioned equipment. Nor does the Police Department foresee the acquisition of any additional military equipment at this time.

BUDGET IMPACT:

There is no budget impact associated with receiving this informational report and providing comment to the City Council.

CONCLUSION:

It is recommended that the City Council accept the AB 481 Approval of the Military Equipment use Policy Annual Report.