



# **AB 481 Annual Report 2022**

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**Bell Gardens 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 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.

**Bell Gardens Ordinance No. 923 Military Equipment Policy**

As required by AB 481, the 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 Bell Gardens 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 (“BGPD Policy 706”) will safeguard the public’s 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 2022:**

The equipment was used during training situations and in the field on 5 occasions during April 2022 through April 2023.

**Summary of Complaints for 2022:**

The Department did not receive any complaints concerning military equipment from April 2022 through April 2023.

**Violations of Policy 706:**

An internal review revealed no violations of Policy 706, during April 2022 through April 2023.

**Total Annual Cost for Military Equipment:**

The estimated annual cost for the maintenance of the military equipment in the current inventory is \$6,816. This includes the cost of replacement parts, cleaning supplies, and the staff time to conduct inspections on the equipment.

**REPLACEMENT MILITARY EQUIPMENT INVENTORY LIST:**

**1. Diversionsary Devices (Category 12):**

**Description:**

Diversionsary Devices, also known as flashbangs, distraction devices, light/sound devices, and noise/flash diversionsary devices, provide law enforcement with an effective tool that may assist in resolving tactical incidents. The devices create a loud report, heat, and brilliant light because they are “low explosive” devices. They are excellent for use during high-risk entry scenarios and

other tactical applications. They may disorient/confuse subjects for a few seconds (lag time), providing law enforcement with an opportunity to end hostile situations peacefully.

**Purpose and Authorized Use:**

The purpose of a diversionary device is to temporarily disorient a hostile subject's senses. It is designed to produce a disorienting flash of light of approximately 7 million candela and an intensely loud "bang" of greater than 170 decibels. Only BGPD Special Operation Team (SOT) members who have completed a California Police Officers Standards & Training SWAT academy are authorized to use the device. Refer to BGPD policy 404 - Special Operations Team procedures. SOT operators must complete an 80-hour SWAT academy and are subject to ongoing extensive classroom and practical application training in the use of Diversionary Devices. Additionally, SOT operators regularly train on safe device deployments in various operational settings.

**Expected Lifespan:**

Five (5) year shelf life.

**Fiscal Impact:**

The department orders fifty (50) devices triennially; however, orders can be made biennially depending on usage. These bulk purchases are approximately \$2000.

**Training:**

Officers must attend Diversionary Device Training that is conducted by a certified instructor. Additionally, officers will receive ongoing in-service training on the use of diversionary devices.

**Legal and Procedural Rules:**

Use is established in the Department Manual (Use of Force and Diversionary Devices - Flashbangs). It is the policy of the Department to utilize diversionary devices only for official law enforcement purposes, and according to State and Federal law regarding the use of force.

**Total Purchase Cost:**

\$1,902.67, Quantity 48.

**2. 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 Bell Gardens 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:**

\$992.23, Quantity 38.

**3. 40mm Munitions - (Exact Impact 40mm Standard Range Sponge Round)**

**Description:**

The Exact Impact 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consists of a plastic body and sponge nose that is spin-stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant and, therefore, has exceptionally consistent velocities. Used for Crowd Control, Patrol, and Tactical Applications.

**Purpose:**

As defined in department policy, 40mm launchers utilized with less-lethal sponge rounds are deployed to impact subjects demonstrating assaultive behavior or life-threatening behavior. 40mm launchers utilized with less-lethal sponge baton rounds may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon within the force guidelines of the department policy. Officers' primary objective in using an extended range impact weapon is to gain compliance, overcome resistance, or prevent serious injury or death to officers, victims, or suspects.

**Authorized Training / Use:**

All officers receive training on the use of the 40mm launcher with the sponge round. This training occurs during qualification and through ongoing in-service training taught by Department instructors.

Special Operation Team personnel receive additional training on chemical munitions by an approved chemical agent school and/or training facilitated by a Department-certified chemical agent instructor.

**Life Span:**

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

**Legal and Procedural Rules:**

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

**NEW PROPOSED ITEMS FOR THE MILITARY EQUIPMENT INVENTORY LIST**

The Department has purchased/acquired three drones in 2022. The use of drones expedites the response time to calls, aids in the active investigation of a criminal offense, or other calls where an aerial view of the incident can help preserve life and/or property. Furthermore, drones can help personnel determine the best tools, tactics, and resources to safely mitigate a problem.

**1. Unmanned Aerial, Remotely Piloted, Aerial Vehicle (Category 1)**

One (1) “Autel Evo 2 Pro Drone is manufactured by Autel Robotics. The Autel EVO II Pro is a folding drone with a stable 6K camera and a remote with a built-in display. In its standard flight mode, the EVO II tops out at 22mph and offers all-around obstacle detection. It's very useful for working lower to the ground, where trees or other obstructions may be an issue. This drone is equipped with GPS for stabilization. It has a maximum speed of 44 mph and a flight time of 40 minutes.

Initial Cost - \$ Donated.

Two (2) Loki MK2 Drone manufactured by Sky-Hero. This drone is equipped with a forward-facing, .0008 lux day/night camera with 150° wide angle field of view. On board HD microphone, integrated flight stability/hover system using only onboard sensors front and bottom selectable and dimmable IR LEDs. The Loki MK2 has a maximum speed of 20kt and a flight endurance of 15 minutes. It is purposely built for close quarter indoor scouting missions.

**Equipment Capabilities:**

- Traffic crash reconstruction
- Pre-tactical deployment
- Monitor large crowds
- Patrol-led deployment

Aerial search investigations  
Searching for lost persons  
Traffic pattern review

**Purpose/Authorized Uses:**

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, assist in resolving critical incidents, or display at a community event.

Only authorized operators who have completed the required training and Federal Aviation Association (FAA) certification shall be permitted to operate the UAS.

**Fiscal Impact:**

No known annual maintenance cost

**Legal Procedural Rules:**

All applicable State, Federal, and local laws apply.

**Training Required:**

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend a basic UAS operator course and ongoing in-service training.

**Total Cost:**

Initial Cost - \$13,834.20.