

Assembly Bill 481, Military Equipment Annual Report

2023

Mountain View Police Department

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Background

On September 30, 2021, Governor Gavin Newsom signed a series of eight (8) policing reform bills, including Assembly Bill 481 (AB 481), on the acquisition and use of military equipment. On May 10, 2022, the Mountain View City Council adopted Ordinance No. 7.22 approving Mountain View Police Department Policy 709, Military Equipment (“MVPD Policy 709”).

Summary

The Mountain Police Department (MVPD) had equipment meeting eight of the 15 categories requiring reporting by AB 481 in 2023. The equipment has been used minimally, largely related to training and certification.

The City has not received any complaints or audits regarding the use or acquisition of the equipment. One policy violation did occur, which involved the improper storage of a beanbag launcher. The department addressed the violation in accordance with its internal policies and procedures, which included conducting an internal investigation. MVPD has diligently followed MVPD Policy 709, ensuring transparency and accountability in its operations. Plans for future equipment purchases meeting the reporting requirements of AB 481 are minimal and mostly focused on replacing or replenishing equipment used throughout the year.

In 2024, the department plans to purchase approximately 500 rounds of .50-caliber ammunition at a cost of \$900 and approximately 1,000 rounds of .308-caliber ammunition at a cost of \$1,500 to replace ammunition used during training in 2023. The department plans to purchase 36 noise-flash diversionary devices to replace expired devices at a cost of approximately \$5,000 and purchase additional units to replace any used throughout the year, as well as replenishing chemical munitions used in training or as they expire at a cost of approximately \$5,000. Additionally, as part of the 2024-25 City budget process, the department has requested funds to purchase forty (40) 40mm LMT Single-Shot Sponge Round Launchers at a total approximate cost of \$50,433 to replace the 12-gauge beanbag launchers currently used by patrol officers. Additionally, the department has requested \$15,700 to purchase related 40mm foam impact projectiles. All the costs noted in the table below come from MVPD’s budget out of the City’s General Operating Fund.

Since August 1, 2023, the department has been working with California Office of Emergency Services (CalOES) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to return 20 AR-15 rifles acquired through the 1033 Program, which provides excess Department of Defense property for law enforcement use. The department applied for their return to ATF and an inventory certification on August 2, 2023. In December 2023, while awaiting approval from ATF, the Law Enforcement Support Office instituted a moratorium on the return of 1033 Program rifles until further notice. The department has since stored these rifles and has no plans to deploy them operationally or in

training. MVPD will continue to communicate with the ATF to ensure timely notification of authorization to return the rifles and is exploring alternative methods to remove the rifles permanently from inventory.

Introduction

As required by AB 481, City Ordinance 7.22, and MVPD Policy 709, MVPD must prepare an annual report on the use of each type of military equipment approved in the Policy over the last year. Subsequently, the City Council must review the Ordinance, Policy, and AB 481 Annual Report and determine whether MVPD's use of the defined military equipment in the past year complied with the Policy.

MVPD has equipment meeting eight of the 15 categories set forth in AB 481 and MVPD Policy 709, indicated below in **bold**:

1. **Unmanned, remotely piloted, powered aerial or ground vehicles.**
2. Mine-resistant, ambush-protected vehicles or armored personnel carriers.
3. High mobility multi-purpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
4. Tracked armored vehicles that provide ballistic protection to their occupants.
5. **Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.**
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. **Battering rams, slugs, and breaching apparatuses that are explosive in nature.**
8. **Firearms and ammunition of .50-caliber or greater, excluding standard-issue shotguns.**
9. **Ammunition of .50-caliber or greater, excluding standard-issue shotgun ammunition.**
10. **Specialized firearms and ammunition of less than .50-caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code §30515, with the exception of standard-issue service weapons and ammunition of less than .50-caliber.**

11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. **Noise-flash diversionary devices, explosive breaching tools, or munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.**
13. TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices.
14. **Kinetic energy weapons and munitions.**
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.

AB 481 requires police departments to identify, at a minimum, six elements in their annual reports for each type of equipment:

1. Summary of how each type of equipment was used and the purpose of that use.
2. Summary of complaints or concerns received for each type of equipment.
3. Information disclosing violations of military equipment policies and actions taken in response as well as the result of internal audits.
4. Annual costs for each type of 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 report.
5. Quantity possessed of each type of equipment.
6. Plans to acquire additional military equipment in the coming year and the quantity sought.

The tables on the following pages provide this information in the categories of Quantity, Costs, Summary Use and Purpose, Complaints, Policy Violations, and Future Purchases.

It should be noted that costs may list the acquisition cost from the previous fiscal years, as noted in the table with an asterisk (*).

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Category 1: Unmanned, Remotely Piloted, Powered Aerial or Ground Vehicles						
Mavic 2 Enterprise Dual with Forward-Looking Infrared (FLIR) UAS (Unmanned Aerial System)	2	*\$14,861.31 (purchased in 2020) \$0 cost in 2023	In 2023, unmanned aerial systems were used in 44 training missions, including pilot training and public demonstrations. There were no actual deployments in the field. These systems provide valuable training for department staff and can be utilized for public safety missions, enhancing Officer safety by enabling remote monitoring of hazardous situations. Additionally, they support City departments in tasks like fire suppression and building inspections.	None	None	None planned
DJI Matrice 30T Drone with Thermal Camera	2	\$33,986.81 (cost of purchase in 2023)	In 2023, unmanned aerial systems (UAS) were utilized for training 75 times and deployed in the field six times. These UAS also supported the Public Works Department by documenting work at City Hall. This equipment enhances Officer safety by enabling remote observation of potentially dangerous situations and is versatile in applications ranging from crime scene documentation, suspect searches, missing persons searches, and interagency assistance to tasks like fire suppression, building inspections, and general photography.	None	None	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Loki MK2 EU Drones	2	\$13,693.80 (cost of purchase in 2023)	In 2023, UAS were employed for training, assisting an external agency in finding a homicide suspect, community presentations, and supporting SWAT and investigations in executing search warrants. These UAS enhance Officer safety by allowing remote observation of dangerous situations, thus reducing risks to personnel. Their primary use is for suspect searches within buildings. Deployed for training 35 times and in the field three* times (estimate only, indoor flights are not tracked).	None	None	None planned
DJI Mavic 3T Wide/Zoom/Thermal Camera UAS	1	\$6,157 (cost of purchase in 2023)	In 2023, the UAS was used in training 53 times and deployed in the field seven times. These aircrafts enhance Officer safety by enabling remote assessment of risks, thereby reducing potential harm to personnel. They serve various purposes, including documenting crime scenes, suspect and missing person searches, interagency support, and tasks like fire suppression, building inspections, or aerial photography.	None	None	None planned
Robotex Avatar Robot	1	*\$12,389.21 (purchased in 2011) \$0 cost in 2023	In 2023, a robot was deployed in the field once and used in training 10 times. It entered the dwelling ahead of Officers based on intelligence to gather visual/audio information safely, enhancing safety for individuals and Officers. Only trained, assigned operators can operate the robot.	None	None	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
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 Control Vehicle (MCV)	1	\$4,303.47 maintenance and repair costs in 2023	In 2023, the Mobile Command Vehicle (MCV) was deployed to large concerts, SWAT/Crisis Negotiation Team training, and driver familiarization exercises. It provides command and control capabilities and workspaces for the Incident Commander at both on-scene and remote locations, supporting incident and event management.	None	None	None planned
SWAT Command Vehicle	1	\$1,087.64 maintenance and repair costs in 2023	In 2023, the SWAT Command Vehicle was deployed in the field once and was used in monthly SWAT trainings. It provides command and control capabilities for the SWAT Commander and serves to transport SWAT personnel and equipment, facilitate training, and provide a safe environment for emergency medical and tactical medics staff.	None	None	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Category 7: Battering Rams, Slugs, and Explosive Breaching Apparatuses						
Explosive breaching initiator	2	*\$200 (acquired in 2002) \$0 cost in 2023	Explosive breaching equipment was used only in training in 2023. It enables safe, quick entry into structures, is restricted to SWAT incidents, and requires Incident Commander authorization for deployment.	None	None	\$1,000 to replace any used in training or operationally.
Nonel MS (blasting cap)	136	*\$3.75 each (acquired in 2002) \$0 cost in 2023	Nonel MS Blasting Caps were used 14 times in training 2023 but not deployed in the field.			
Primacord (50 grains per foot)—primary explosive	2,980'	*\$695 for 2,000' (acquired in 2002) \$0 cost in 2023	Twenty feet (20') of Primacord was with the 14 blasting caps.			
Category 8: Firearms of .50-Caliber or Greater, Excluding Standard-Issue Shotguns and Standard-Issued Shotgun Ammunition						
.50-Caliber Semiautomatic Rifle	1	*\$9,350 \$0 cost in 2023	The Barret .50-caliber rifle was not used for training nor deployed in the field in 2023. It is designed for specific strategic and tactical purposes, such as stopping weaponized vehicles, penetrating heavy glass, or neutralizing protected snipers. It uses various ammunition types to suit different scenarios.	None	None	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Category 9: Ammunition of .50-Caliber or Greater						
.50-Caliber Ammunition	470 rounds	*\$4,400 \$0 cost in 2023	In 2023, the Barret .50-caliber ammunition was not used for training nor deployed in the field. The rifle is compatible with various ammunition types for different uses (see Category 8).	None	None	\$900 .50-caliber ammunition is anticipated to be purchased to replenish this ammunition inventory to about 1,000 rounds for training and operational purposes.
Category 10: Specialized Firearms and Ammunition of Less than .50-Caliber						
.308-Caliber Sniper Rifle	2	*\$7,518 (purchased in 2021) \$0 cost in 2023	In 2023, SWAT team deployed the sniper rifle once in the field, but it was not fired. The SWAT team trained monthly with the sniper rifle. The rifle's primary functions are incident observation and immediate threat assessment.	None	None	None planned
.308-Caliber Ammunition	1,900 rounds	*\$3,300 \$0 cost in 2023	In 2023, SWAT team deployed the .308-caliber ammunition with the sniper rifle once in the field, but it was not fired. The SWAT team trained monthly with the sniper rifle and ammunition. 400 rounds were used in 2023 for qualification and training.	None	None	The department anticipates purchasing \$1,500 worth of ammunition (approximately 1,000 rounds) in 2024.

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Bushmaster AR-15 .223 Semiautomatic Rifle	0	*\$600 \$0 cost in 2023	The Bushmaster AR-15 was acquired in lieu of destruction in 2017 and used for spare parts for operational rifles. *We disposed of this firearm in 2023.	None	None	None planned
Black Rain Ordinance AR-15 .223 Semiautomatic Rifle	0	*\$600 \$0 cost in 2023	The Black Rain Ordinance AR-15 Rifle was acquired in lieu of destruction in 2019 and used for spare parts for operational rifles. *We disposed of this firearm in 2023.	None	None	None planned
B-West AK-47 .762 Semiautomatic Rifle	1	*\$500 \$0 cost in 2023	The B-West AK-47 was acquired in lieu of destruction in 2008 and used for operator weapons systems familiarity and weapons systems capabilities. This rifle is currently in inventory and stored as surplus.	None	None	None planned
M4 .223 Carbine Semiautomatic Rifle	12	*\$18,000 \$0 cost in 2023	In 2023, SWAT deployed the M4 Carbines in the field once, but they were not fired. The M4 Carbines were used at mandatory training and qualifications. It is the primary weapon for each SWAT operator.	None	None	None planned
Surefire SOCOM556RC Noise and Recoil Suppressors	12	*\$12,000 \$0 cost in 2023	In 2023, Surefire noise and recoil suppressors were deployed in an operation and in training with the M4 Carbines, enhancing training safety and covert operation capabilities. Each rifle is issued with a suppressor and utilized in 2023 training.	None	None	None planned
M4 .223 Rifle, Semi- and Fully Automatic	2	*\$3,000 \$0 cost in 2023	The M4 .223 semi- and fully automatic rifles were not deployed in the field nor in training in 2023. These rifles were the previously assigned SWAT Operator primary weapon.	None	None	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
AR-15 .223 Bushmaster Pistol	0	*\$900 \$0 cost in 2023	The AR-15 Bushmaster Pistol was intended for concealed carry by plainclothes SWAT members, but was neither deployed in the field nor in training in 2023 and was being stored as surplus. *It was destroyed in 2023 and removed from inventory.	None	None	None planned
HK MP5 Suppressed 9mm Submachine Gun	1	*\$2,700 \$0 cost in 2023	The HK MP5 suppressed 9mm submachine gun, acquired for concealed carry by plainclothes SWAT operators, was used only in training in 2023 and is stored as surplus in inventory.	None	None	None planned
HK .308 Rifle	1	*\$5,000 \$0 cost in 2023	The HK .308 rifle was not deployed in the field nor used in training in 2023.	None	None	None planned
Remington 870 Breaching Shotgun	1	*\$800 \$0 cost in 2023	The Remington 870 breaching shotgun, designed for defeating locks and hinges for emergency entry, was neither deployed in the field nor in training in 2023 and is stored as surplus in inventory.	None	None	None planned
Steyr AUG .223 Rifle	1	*\$2,000 \$0 cost in 2023	The Steyr AUG .223 rifle, converted for blank ammunition use in scenario training, was not deployed in the field nor in training in 2023.	None	None	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Category 12: Noise Flash Diversionsary Device and Chemical Munitions						
Chemical Munitions	114	*\$4,800 \$0 cost in 2023	Chemical munitions were deployed in the field but not fired and were used only in training to ensure certification and proficiency. This includes various CS/OC chemical deployment munition systems. SWAT members spend about four hours on chemical munitions training during regular sessions.	None	None	Additional purchases may be made to replace equipment used and/or expired. The estimated cost is \$5,000.
Noise Flash Diversionsary Device (NFDD)	46	*\$4,407 \$0 cost in 2023	NFDDs were deployed in the field but not detonated. They were used in training to ensure certification and proficiency. They serve to distract or immobilize threats, aiding officers in managing dangerous situations. One officer completed a 16-hour NFDD Instructor course, and SWAT members spent around four hours training with NFDDs during the year.	None	None	Due to existing NFDDs expiring in 2023, the department intends to buy 36 NFDDs in 2024 at approximately \$5,000 with potential for more purchases as supplies diminish.

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
Category 14: Kinetic Energy Weapons and Specialty Munitions						
FN303 .68 Launcher	2	*\$2,400 \$0 cost in 2023	The FN303 .68 launcher was only used for training. It fires .68-caliber projectiles, such as impact, paint, marker, OC powder, and training rounds, for area denial, suspect movement, action cessation, or to disable or disorient suspects.	None	None	None planned
.68-Caliber Projectiles	900	*\$4,443 \$750 purchased in 2023	These munitions were deployed only in training.	None	None	None planned
40mm LMT Single-Shot Sponge Round Launcher	2	*\$1,800 \$0 cost in 2023	The 40mm LMT Single-Shot Sponge Round Launcher was deployed in the field but not fired except at mandatory training and qualifications. It deploys less-lethal munitions to induce compliance when reasonable.	None	None	The department has requested funds to purchase forty (40) 40mm LMT Sponge Round Launchers to replace the 12-gauge beanbag launchers currently used by patrol officers at a cost of approximately \$1,143 each and a total approximate cost of \$50,433.

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
40mm LMT 4-Shot Multi-Launcher	1	*\$2,300 \$0 cost in 2023	<p>The 40mm LMT 4-Shot Multi-Launcher was deployed in the field but not fired except at mandatory training and qualifications. It deploys less-lethal munitions to induce compliance when reasonable.</p> <p>The 40mm LMT 4-Shot Multi-Launcher, used like its single-shot counterpart, may be deployed for its ability to offer multiple shot options.</p>	None	None	None planned
40mm Sponge Round	50 Inert 40 CS 20 OC	\$1,980 \$0 cost in 2023	<p>These projectiles were deployed in the field but not fired except at 40mm trainings and qualification.</p> <p>Projectiles fired with the launchers are used to prompt individuals to stop their actions when deemed a reasonable option.</p>	None	None	The department has requested funds to purchase 1,000 sponge rounds, including training rounds, estimated at \$15,700.
12-Gauge Shotgun Chemical Munition Launcher	1	*\$400 \$0 cost in 2023	The 12-Gauge Shotgun Chemical Munition Launcher was deployed in the field but not fired except at training.	None	None	None planned
12-Gauge Shotgun Beanbag Launcher	37	*\$14,800 \$0 cost in 2023	<p>The 12-Gauge Shotgun Beanbag Launchers were deployed in the field and for training and qualification.</p> <p>It offers less-lethal means to disable or disorient suspects and compel them to cease their actions and is standard issue for all patrol Officers.</p>	None	1 violation. Actions Taken: Conducted internal investigation.	None planned

Equipment Name	Qty	Cost	Summary of Use and Purpose	Complaints	Policy Violations	Future Purchases
12-Gauge Beanbag Impact Munition	500	*\$3,000 \$0 cost in 2023	Beanbag Munitions were deployed in the field but not fired except for training and qualification in 2023. These rounds are deployed with each 12-Gauge Beanbag Launcher as described above.	None	None	In 2024, the department plans to purchase 500 beanbag munitions, at a total approximate cost of \$3,000.
SAGE 37mm Projectile Launcher	3	*\$2,325 \$0 cost in 2023.	The SAGE 37mm Projectile Launcher was not deployed in the field nor in training. It launches less-lethal munitions and is currently stored as surplus in inventory.	None	None	None planned
37mm Impact Munition	50	*\$500 \$0 cost in 2023	37mm impact munitions were not deployed in the field nor used in training in 2023. Rounds for the above launcher systems offer an additional less-lethal option and are currently stored as surplus.	None	None	None planned

* Purchased or acquired in previous fiscal years.