



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: The Police Department's 2022 Specialized Equipment Use Report

1. Motion to note and file this report.

COUNCIL ACTION

Item Type: Consent Calendar

Approved for November 14, 2023 **calendar**

EXECUTIVE SUMMARY

Pursuant to Assembly Bill 481 ("AB 481"), the Glendale Police Department must obtain the City Council's annual approval to use Military Equipment/Specialized Equipment, as the term is defined in Government Code § 7070(c). Specialized Equipment supports the Glendale Police Department's mission of protecting and serving our community in a safe and efficient manner.

COUNCIL PRIORITIES

N/A

RECOMMENDATION

The Police Department recommends City Council approve a motion to note and file this report.

BACKGROUND

Pursuant to AB 481, the Glendale Police Department must obtain City Council's annual approval to continue to use "Specialized Equipment/Military Equipment" as defined by Government Code § 7070(c). In April 2022, the Glendale City Council passed an ordinance adopting the Specialized Equipment Use Policy (Policy 705) which satisfied AB 481's policy requirement. The equipment identified as "military equipment" in Government Code § 7070(c) is referred to as "Specialized Equipment" in Policy 705. Policy 705 describes the obligations outlined in Assembly Bill No. 481, which include, but are not limited to, the Glendale Police Department submitting an annual Specialized Equipment Use Report to City Council that addresses each type of Specialized Equipment possessed by the Department.

The annual Specialized Equipment Use Report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of "military equipment" as defined in Government Code section 7070(c):

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

Specialized Equipment –means the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- 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.
- Tracked armored vehicles that provide ballistic protection to their occupants.

- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- 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 firearms and ammunition of less than .50 caliber that are issued to officers.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or oleoresin capsicum (OC), excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.
- Notwithstanding paragraphs (1) through (15), "Specialized Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

ANALYSIS

This following will address each element AB 481 requires in the annual report:

1. A summary of how the Specialized Equipment was used and the purpose of its use.

DJI, MAVIC 2 ENTERPRISE (DRONE)

- 96 patrol missions (searching for suspects)
- 10.14 hours of flight time for patrol missions

KINETIC BREACHING TOOL (KBT)

- 1 use in patrol for entry into a motel room for a sexual assault case (Report# 22-9141).
- 1 use in patrol for entry into a motel room for a barricaded male with a possible injured person inside (Report# 22-15-15086).

DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE (less lethal)

- 1 40MM exact impact sponge deployment during an incident involving an

- aggressive subject (Report# 22-749).
- 1 40MM exact impact sponge deployment during an incident involving a burglary suspect who barricaded himself inside a residence (Report# 22-1027).
- 1 40MM exact impact sponge deployment during an incident involving a person with a gun call (Report# 22-6641).
- 1 40MM exact impact sponge deployment during an incident involving a person with a knife barricaded inside a residence (Report# 22-13757).

ARMORED PERSONNEL CARRIERS

- Lenco Bearcat Armored Vehicle: Used to support the SWAT rescue team in case of an active shooter-type event at Glendale Cruise Night.
 - Lenco Medcat Armored Vehicle: Used to support the SWAT rescue team in case of an active shooter-type incident at Oktoberfest.
 - Lenco Medcat Armored Vehicle: Used to support the SWAT rescue team in case of an active shooter-type incident at the Montrose Christmas Parade.
 - Lenco Medcat Armored Vehicle: Used by the SWAT team to assist Burbank PD with an arrest warrant service in Burbank.
 - Lenco Bearcat & Medcat Armored Vehicles: Used by the SWAT team to transport and protect personnel during the execution by Burbank PD of a surround and callout search warrant in Los Angeles.
 - Lenco Bearcat & Medcat Armored Vehicles: Used by the SWAT team to transport and protect personnel during an incident involving a person with a knife barricaded inside a resident (Report# 22-13757).
2. A summary of any complaints or concerns received concerning the Specialized Equipment.
 - There were no complaints or concerns received concerning Specialized Equipment during this reporting period.
 3. The results of any internal audits, any information about violations of the Specialized Equipment use policy, and any actions taken in response.
 - No internal audits revealed a violation of the Specialized Equipment use policy. When Specialized Equipment inventory supply levels were depleted, damaged, destroyed, or due for replacement, the department replenished, replaced, and/or renewed its stock. See the Specialized Equipment Use Inventory for current supply levels.
 4. The total annual cost for each type of Specialized Equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the Specialized Equipment in the calendar year following submission of the annual Specialized Equipment use report.

- The police department purchases Specialized Equipment as needed, and the total annual cost will vary depending on use. The unit price for each item is contained in the Specialized Equipment Use Inventory, and any purchases of Specialized Equipment will be paid for through the police department budget.

5. The quantity possessed for each type of Specialized Equipment.

- See the Specialized Equipment Use Inventory attached to Glendale Police Department Policy 705.

6. If the Department intends to acquire additional Specialized Equipment in the next year, the quantity sought for each type of equipment.

- The Department does not intend to acquire additional Specialized Equipment in the next coming year. Future costs to restock inventory and maintain equipment will be planned during the Police Department's annual budget process.

STAKEHOLDERS/OUTREACH

In accordance with Government Code § 7072(b); Policy 705 (Specialized / Military Equipment Use) was posted on the Policies & Procedures / Training SB978 section of the Glendale Police Department website in March of 2022 and refreshed in August of 2023. Within 30 days of submitting and publicly releasing the annual Specialized Equipment Use Report, pursuant to this section, the police department held a well-publicized and conveniently located community engagement meeting. The meeting was announced during Staff Comments at the Council Meeting held on September 12, 2023, along with several weekly announcements / reminders on the Police Department's and City's social media outlets. A public hearing was held on October 4, 2023, in the Rick Reyes Community Room. Additionally, a recording of the report and presentation has been made available on the Police Department's website.

FISCAL IMPACT

Future costs to restock inventory and maintain equipment will be planned during the Police Department's annual budget process.

ENVIRONMENTAL REVIEW (CEQA/NEPA)

CEQA does not apply to projects where the lead agency determines "with certainty that there is no possibility that the activity in question may have a significant effect on the environment." CEQA Guidelines (14 Cal. Code Regs.) § 15061(b)(3).

Here, the action involves noting and filing of a report required by AB 481 regarding the use of specialized/military equipment. There is no possibility that the action to note and file this report may have a significant effect on the environment.

CAMPAIGN DISCLOSURE

This item is exempt from campaign disclosure requirements.

ALTERNATIVES

Alternative 1: Approve as requested by the Police Department.

Alternative 2: Elect not to note and file the report. If such an election is made, the city may not be in compliance with the annual reporting requirements.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

ADMINISTRATIVE ACTION

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Approved by:

Roubik R. Golanian, P.E., City Manager

EXHIBITS/ATTACHMENTS

Attachment A – Glendale Police Department Specialized Equipment Inventory