

Assembly Bill 481, Military Equipment Annual Report 2022

Mountain View Police Department



Background

On September 30, 2021, Governor Gavin Newsom signed a series of eight (8) policing reform bills including Assembly Bill 481 (AB 481), 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.

Summary

The Mountain Police Department (MVPD) had equipment meeting 8 of the 15 categories requiring reporting by AB 481 in 2022. The equipment has been used minimally, largely related to training and certification.

The City has not received any complaints, audits, or policy violations regarding the use or acquisition of the equipment. MVPD has diligently followed the established Department 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.

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 and whether to renew the Ordinance.

MVPD has equipment meeting 8 of the 15 categories set forth in AB 481 and MVPD Policy 709, in **bold**:

1. **Unmanned, remotely piloted, powered aerial or ground vehicles**
2. Mine-resistant ambush-protected vehicles or armored personnel carriers
3. 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
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 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. Quantity possessed of each type of equipment;
3. Annual costs for each type of equipment, “including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs;”
4. Summary of complaints or concerns received for each type of equipment;
5. Information disclosing violations of military equipment policies and actions taken in response, as well as the result of internal audits; and;
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 previous Fiscal Years as noted in the table with an asterisk.

| Equipment Name | Qty | Costs | 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) | Unmanned Aerial Systems were deployed in 2022 to assist officers during a search for a subject who fled from a vehicle, to search for a wanted subject who fled on foot from officers, to search for a subject who fled after shooting an MVPD officer and to search for related evidence, to document several crime and traffic collision scenes, and for training. The systems allow officers to respond to incidents and view potentially dangerous situations safely, mitigating potential harm to department personnel. In addition, these systems can be used to assist other City departments with tasks such as fire suppression efforts and building inspections. | None | None | Yes. See Below. Two (2) DJI Matrice 30T Drone with Thermal Camera. The Matrice 30T will replace the existing Mavic 2s. Cost: \$44,576.12 Two (2) Aardvark Loki Mk2 Drones Will allow for indoor operations. Cost: \$13,693.80 |
| Robotex Avatar Robot | 1 | * \$12,389.21 (Purchased in 2011) | The robot was deployed during the execution of a search warrant related to a homicide investigation. Based on preoperational intelligence, the robot was driven into the dwelling before officers entered. The robot was also deployed during training throughout the year. The robot is used to gain visual and/or audio information from a safe distance. This makes the situation safer for both the individual and officers and helps accomplish tasks. Only assigned operators who have completed the required training are permitted to operate the robot. | None | None | None Planned |

| Equipment Name | Qty | Costs | 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 | \$6,131.60 Maintenance and Repairs | The MCV was deployed in 2022 to several large concerts, to the field command post during the search for the suspect that shot a MVPD officer, as well as to several Crisis Negotiation Team training events and for driver familiarization. The Command Control Vehicle supports the management of incidents and planned events by providing interior and/or exterior workspaces and command and control capabilities to the Incident Commander on-scene or at remote locations. | None | None | None Planned |
| SWAT Command Vehicle | 1 | \$8,331.64 Maintenance and Repairs | The SWAT Command Vehicle was deployed in 2022 to assist an allied agency with an operation in Mountain View, to accompany the SWAT team to execute a search and arrest warrant at a dwelling related to a gang-related murder investigation, and to SWAT training days monthly. The SWAT Command Vehicle is primarily used by the Special Weapons and Tactics Team (SWAT) to safely transport personnel and equipment to and from critical incidents, extract individuals from volatile situations, support high-risk rescue operations, conduct training, provide emergency medical staff, and/or tactical medics personnel a safe working environment. | None | None | None Planned |

| Equipment Name | Qty | Costs | 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 with no expiration) | Explosive Breaching Equipment was not deployed operationally or in training in 2022. These apparatuses are used to gain safe and swift entry into a structure. This equipment is only deployed during SWAT incidents, and the Incident Commander must authorize its use. | None | None | \$1,000.00 to replace any used in training or operationally. |
| Nonel MS (Blasting cap) | 150 | * \$3.75 each (acquired in 2002 with no expiration) | | | | |
| Primacord (50 grains per foot) -- Primary explosive. | 3,000 feet | * \$695 for 2,000 feet (acquired in 2002 with no expiration) | | | | |
| Category 8: Firearms of .50 caliber or greater, excluding standard-issued shotguns and standard-issued shotgun ammunition | | | | | | |
| .50 Caliber Semiautomatic Rifle | 1 | * \$9,350.00 Two SWAT officers attended a 50-hour Large Caliber Rifle Instructor Course in 2022 at a cost of \$1,350 per attendee. | The Barret .50 caliber rifle was used only during training in 2022. It was not deployed operationally. This rifle addresses strategic and tactical needs including, but not limited to, stopping automobiles being used as weapons for vehicle-born assaults, especially large or armored vehicles, defeating bank glass and other heavy glass, or neutralizing a criminal sniper firing from a protected position, such as from behind concrete block or brick or a vertical building. The Barrett .50 caliber rifle is paired with several ammunition types to address a variety of employment uses. | None | None | None Planned |

| Equipment Name | Qty | Costs | Summary of Use and Purpose | Complaints | Policy Violations | Future Purchases |
|--|--------------|--|---|------------|-------------------|--|
| Category 9: Ammunition of .50 caliber or greater | | | | | | |
| .50 Caliber Ammunition | 470 rounds | \$4,400.00 (approximately \$4.50 per round) The Department purchased roughly 970 rounds of ammunition for training and testing. | The Barret .50 caliber rifle, and subsequently related ammunition, was used only during training in 2022. Neither were deployed operationally. The Barrett .50 caliber rifle is paired with several ammunition types to address a variety of employment uses. See Category 8 for specific uses. SWAT team members trained with approximately 500 rounds of .50 caliber ammunition. | None | None | \$900.00 .50 Caliber ammunition may be purchased in the upcoming year as needed based on the use of current ammunition inventory. |
| Category 10: Specialized Firearms and Ammunition of less than .50 caliber | | | | | | |
| .308 Caliber Sniper Rifle | 2 | * \$3,759 each Purchased in 2021 | The .308 Caliber Sniper Rifle was deployed in 2022 by specialized SWAT Officer teams of two to assist an allied agency with an operation in Mountain View, as well as required training and qualifications. | None | None | None Planned |
| .308 Caliber Ammunition | 1,960 rounds | \$3,300.00 The Department purchased 2,200 rounds of .308 ammunition in 2022. | The main use and purpose of the rifle and team is for observation of an incident and to accurately and immediately be able to stop a threat to life. | None | None | The Department anticipates purchasing \$1,500 worth of ammunition (approximately 1,000 rounds) in Fiscal Year 2023-24. |

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|--|-----|---------------------------------|---|------------|-------------------|--|
| Colt AR-15 .223 Patrol Rifles semi-automatic | 75 | * \$112,500.00 (\$1500.00 each) | The Colt AR-15 Patrol Rifles were deployed throughout the year on events where officers required long-distance and/or better accuracy or to provide additional force options during critical events such as active shooter incidents, high-risk car stops, facing suspects with rifles, etc. The Patrol rifles are issued to each patrol officer assigned to the Field Operations Division. | None | None | None Planned |
| Colt AR-15 .223 Patrol Rifles semi-automatic | 20 | * None | These rifles are used similarly to the standard-issue patrol rifles above and were originally obtained through the Military Excess Property Program (10 33 program) | None | None | The Department plans to return these rifles to the military and request to replace the rifles with civilian versions, which will be reported in compliance with AB481. |
| Bushmaster AR-15 .223 semi-automatic Rifle | 1 | * None | The Bushmaster AR-15 was acquired in lieu of destruction in 2017 and used for spare parts for operational rifles. This rifle is currently in inventory and stored as surplus. | None | None | None Planned |
| Black Rain Ordinance AR-15 .223 semi-automatic | 1 | * None | The Black Rain Ordinance AR-15 Rifle was acquired in lieu of destruction in 2019 and used for spare parts for operational rifles. This rifle is currently in inventory and stored as surplus. | None | None | None Planned |
| B-West AK-47 .762 Semi-automatic Rifle | 1 | * None | 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 |

| Equipment Name | Qty | Costs | Summary of Use and Purpose | Complaints | Policy Violations | Future Purchases |
|--|---------------|-----------------------------|--|------------|-------------------|--|
| .223 Ammunition | 35,000 rounds | \$22,500.00 | .223 ammunition is provided and used in conjunction with each .223 weapon system issued to officers. | None | None | The Department anticipates purchasing 45,000 rounds (approximately \$25,000) of .223 ammunition in 2023. This ammunition will be used for training and operations as needed and to mitigate against price increases. |
| M4 .223 Carbine Rifle, semi-automatic | 12 | * \$18,000.00 (\$1500 each) | The M4 .223 Carbine was deployed in 2022 by SWAT to assist an allied agency with an operation in Mountain View, as well as required training and qualifications. The rifles are the primary weapon assigned to each SWAT Operator. | None | None | None Planned |
| Surefire SOCOM556RC noise and recoil suppressors | 12 | * \$12,000.00 (\$1000 each) | The Surefire noise and recoil suppressors were deployed with the M4 .223 Carbine Rifles in 2022. The noise and recoil suppressors are issued with each rifle and provide safer training (noise diminishing) and capabilities for more covert operations. | None | None | None Planned |
| M4 .223 Rifle, semi and fully automatic | 10 | * \$15,000.00 (\$1500 each) | The M4 .223 semi and fully automatic rifles were not deployed operationally or in training in 2022. These rifles were the previously assigned SWAT Operator primary weapon. They are in inventory and stored as surplus. | None | None | None Planned |
| AR-15 .223 Bushmaster Pistol | 1 | * \$900.00 | The AR-15 Bushmaster Pistol was not deployed operationally or in training in 2022. The pistol was acquired to provide a concealed carry option for SWAT operators working in plain clothes | None | None | None Planned |

| Equipment Name | Qty | Costs | Summary of Use and Purpose | Complaints | Policy Violations | Future Purchases |
|--------------------------------------|-----|--------------|---|------------|-------------------|------------------|
| | | | details and in close quarters. This pistol is in inventory and stored as surplus. | | | |
| HK MP5 suppressed 9mm submachine gun | 1 | * \$2,700.00 | The HK MP5 suppressed 9mm submachine gun was not deployed operationally or in training in 2022. The submachine gun was acquired to provide a concealed carry option for SWAT operators working in plain clothes details and in close quarters. This submachine gun is in inventory and stored as surplus. | None | None | None Planned |
| HK .308 Rifle | 1 | * \$5,000.00 | The HK .308 Rifle was not deployed operationally or in training in 2022. The .308 rifle is used by SWAT operators as an additional option for long-range threats. This rifle is currently in inventory and stored as surplus. | None | None | None Planned |
| Remington 870 Breaching Shotgun | 1 | * \$800.00 | The Remington 870 Breaching Shotgun was not deployed operationally or in training in 2022. The Remington 870 Breaching Shotgun is used to quickly defeat locked doors and hinges for emergency entry. The shotgun is currently in inventory and stored as surplus. | None | None | None Planned |
| Steyr AUG .223 Rifle | 1 | * \$2,000.00 | The Steyr AUG .223 Rifle was not deployed operationally or in training in 2022. This rifle has been converted to fire blank ammunition for scenario training purposes. | None | None | None Planned |

| Equipment Name | Qty | Costs | Summary of Use and Purpose | Complaints | Policy Violations | Future Purchases |
|--|--|------------------|---|------------|-------------------|--|
| Category 12: Noise Flash Diversionary Device and Chemical Munitions | | | | | | |
| Chemical Munitions | 110 (includes three variations of munition (20), rounds (20), and canisters (70). | * \$186.00 total | Chemical munitions were not deployed operationally in 2022. Chemical munitions were only deployed during training to maintain certification and proficiency. 2 Def-Tech 40 MM Barricade Penetrator liquid CS chemical agent munitions (\$21 -- \$42 total), and 4 CTS 5230B Baffled CS chemical agent canister munitions were used during training (\$36 each – \$144 total). SWAT team members will train for approximately four hours on deploying these chemical munitions during regular SWAT training | None | None | In 2023, The Department will purchase 10 CTS 6340 OC Vapor canisters for \$600.00 (lifespan of 5 years). Training for this munition is the same as required for all other chemical munitions (a 40-hour Chemical Agent Instructor Course). Additional purchases may be made to replace equipment as needed. |
| Noise Flash Diversionary Device (NFDD) | 48 | * \$4,407.00 | NFDDs were not deployed operationally in 2022. NFDDs were only deployed during training to maintain certification and proficiency. NFDDs are used to distract or temporarily immobilize dangerous individuals by overwhelming their vision and hearing. The distraction allows officers to take control of high-risk or dangerous situations. One officer attended a 16-hour NFDD Instructor course. SWAT Team members trained approximately four hours the past year on deploying NFDDs during regular SWAT training. | None | None | Due to the current NFDD equipment expiring in 2023, the Department plans to purchase 36 NFDDs in 2023 (\$105 each) for approximately \$4,000. Additional purchases may be made as stores are depleted. |

| Equipment Name | Qty | Costs | Summary of Use and Purpose | Complaints | Policy Violations | Future Purchases |
|--|----------------------------|----------------------------|---|------------|-------------------|------------------|
| Category 14: Kinetic Energy Weapons and Specialty Munitions | | | | | | |
| FN303 Less-Lethal .68 Launcher | 2 | * \$1,200.00 each | The FN303 Less-Lethal .68 Launcher was not deployed operationally or in training in 2022. This system launches .68 caliber projectiles, including impact, paint, markers, OC powder, and training rounds. Chemical agents can be used to deny a designated area to a suspect, force a suspect to move to a desired area, cease their actions, or to disable or disorient a suspect. | None | None | None Planned |
| Less-Lethal .68 caliber projectiles | 900 | * \$5.77 per round | These munitions were not deployed operationally or in training in 2022. | | | |
| 40 mm LMT Single-Shot Launcher | 2 | * \$900.00 each | The 40 mm LMT Single-Shot Launcher was deployed in 2022 by SWAT to assist an allied agency with an operation in Mountain View, as well as required training and qualifications. It is used to deploy less-lethal munitions and compel individuals to cease their actions when such munitions present a reasonable option. | None | None | None Planned |
| 40 mm LMT 4-Shot Multi-Launcher | 1 | * \$2,300 | The 40 mm LMT 4-Shot Multi-Launcher was deployed with, and used similarly to, the single shot version but it provides multiple shot options. | None | None | None Planned |
| 40 mm Less-Lethal Sponge Round | 50 Inert 40 CS 20 OC | \$18 per round \$300.00 | These rounds were deployed with the launchers and are used to compel individuals to cease their actions when such munitions present a reasonable option. | None | None | None Planned |
| 12-Gauge Shotgun Chemical Munition Launcher | 1 | * \$400.00 | The 12-Gauge Shotgun Chemical Munition Launcher was deployed in 2022 by SWAT to assist an allied agency with an operation in Mountain View, as well as required training and qualifications. It is used to deploy | None | None | None Planned |

| Equipment Name | Qty | Costs | Summary of Use and Purpose | Complaints | Policy Violations | Future Purchases |
|---|-----|--------------------------------|---|------------|-------------------|--|
| | | | chemical munition (Baffled CS chemical munition) to deny a designated area to a suspect, force a suspect to move to a desired area, and to disable or disorient a suspect. | | | |
| Baffled CS chemical agent canister munition | 30 | \$36 per round | These rounds were deployed with the launcher above. | None | None | None Planned |
| 12-Gauge Shotgun Less Lethal Launcher | 37 | * \$400.00 each | The 12-Gauge Shotgun Less Lethal Launcher is only used as required for training and qualifications. The Less Lethal Launcher fires a 12-gauge bean bag impact munition. Less Lethal shotgun launchers provide less lethal options to disable or disorient a suspect and/or compel a suspect to cease their actions. | None | None | None Planned |
| 12-Gauge Bean Bag Impact Munition | 500 | \$6 per round | These rounds are deployed with each launch system as described above. | None | None | In 2023 the Department plans to purchase approximately 500 bean bag munitions for approximately \$3,000.00 |
| SAGE 37mm Projectile Launcher | 3 | * \$2,325.00 (\$775.00 each) | The SAGE 37 mm Projectile launcher was not deployed operationally or in training in 2022. The SAGE 37mm launcher is used to launch less lethal impact munitions. This launcher is currently in inventory and stored as surplus. | None | None | None Planned |
| 37mm impact munition | 50 | * \$500.00 (approx. \$10 each) | These rounds are deployed with the launch systems above and are used to provide an additional less lethal option. The rounds are currently stored as surplus. | None | None | None Planned |

* Purchased or acquired in previous fiscal years