

Citrus Heights Police Department

AB 481 – 2023 Annual Report

AB 481 Annual Report

AB 481 requires law enforcement agencies to obtain the approval of its governing body to enact a military equipment use policy before purchasing, raising funds for, or acquiring military equipment. The initial policy must be passed via ordinance and renewed by a vote of the Council each year. AB 481 provides an expansive definition of "military equipment" that includes many items which law enforcement agencies use, deploy, and obtain on a regular basis. The law enforcement agency is required to return annually to provide an Annual Report to the governing body and the public at large. The agency is also required to host a community engagement session for members of the public to attend.

On May 12, 2022, the City Council for the City of Citrus Heights adopted Ordinance 2022-005, adopting a Military Equipment Use Policy, governing law enforcement's use of items that are deemed "military equipment" under AB 481. Since then, the Citrus Heights Police Department (CHPD) has successfully maintained military equipment in accordance with the policy. This Annual Report provides the summary required by Government Code section § 7072(a). The CHPD will host a community engagement session on Tuesday, May 14, 2024, at 6:00 PM.

The following summarizes the CHPD's Annual Report:

1.) Unmanned Aircraft System (UAS): an unmanned aircraft along with associated equipment necessary to control it remotely.

a.) Description, quantity, purchase cost, capabilities, and any plans to purchase more:

- i.) DJI MAVIC MINIS, estimated cost of \$500 each, quantity not to exceed 4, ability to record video/audio and provide live video stream to operators. Currently own 3, with no current intention to acquire additional.
- ii.) DJI INSPIRE 1 with FLIR camera system, estimated cost of \$1,200 each, quantity not to exceed 2, ability to record video/audio, and provide live video stream to operators with nighttime capabilities. Currently own 1, with no current intention to acquire additional.
- iii.) DJI MAVIC ENTERPRISE DUALS, estimated cost of \$5,500, quantity not to exceed 4, ability to record video/audio and provide live video stream to operators. Currently own 2, with no current intention to acquire additional.
- iv.) AUTO EVO II, estimated cost of \$1,200, quantity not to exceed 2, ability to record video/audio and provide live video stream to operators. Currently own 2, with no intent to acquire additional.

b.) Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

- i.) Major collision investigations;
- ii.) Searching for missing persons;
- iii.) Natural disaster management;
- iv.) Crime scene photography;
- v.) SWAT, tactical or other public safety and life preservation missions; and

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vi.) Responding to specific requests from local, state, or federal fire authorities for fire response and/or prevention.

c.) How the military equipment was used / complaints received:

The department's UAS equipment was utilized for fatal traffic collision photography, crime scene photography, and visual assistance during SWAT and patrol tactical operations to assist with officer safety and the location of potentially dangerous subjects.

The department did not receive any complaints or concerns related to the use of the UAS in 2023.

d.) Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the UAS during approved missions.

e.) Expected Life Span

All UAS equipment, approximately 3-5 years.

f.) Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$10,000. No annual acquisition, personnel, training, transportation, or storage costs.

g.) Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation.

h.) Legal and Procedural Rules

It is the policy of the CHPD to utilize UAS only for official law enforcement purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law, including all FAA requirements and regulations.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None

k.) Internal Audit Results and Response

No violations

2.) Armored Vehicles: Commercially produced wheeled armored personnel vehicles utilized for law enforcement purposes.

a.) Description, quantity, purchase cost, capabilities, and any plans to purchase more:

2008 NAVISTAR DEFENSE MAXPRO MRAP, initial cost \$0 (estimated replacement cost \$800,000), quantity not to exceed 2, armored vehicle which can seat numerous personnel, provides ballistic protection, and allows for rescue of downed officer and/or citizens. Currently own 1, with no intent to acquire any additional at this time.

b.) Purpose

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor. The vehicle also serves

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as an emergency extraction vehicle to transport injured officers, and or community members that may be involved in a critical incident.

c.) How the military equipment was used / complaints received:

The department's Navistar MRAP was used for community engagement events, department training exercises, and SWAT tactical operations to provide ballistic protection and assist with officer safety.

The department did not receive any complaints or concerns related to the use of the Navistar MRAP in 2023.

d.) Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

e.) Lifespan

Approximately 15 years.

f.) Fiscal Impact

Annual maintenance cost of approximately \$5,000. No annual acquisition, personnel, training, transportation, or storage costs.

g.) Training

All drivers/operators shall be required to obtain a valid California Class B license.

h.) Legal and Procedural Rules

It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes and pursuant to State and Federal law.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None

k.) Internal Audit Results and Response

No violations

3.) Command Post (CP): A mobile office that provides shelter and access to Department computer systems and other equipment.

a.) Description, quantity, purchase cost, capabilities, and any plans to purchase more:

2008 GMC C5500, estimated cost of \$300,000, quantity not to exceed 1, can be used to conduct meetings and store large amounts of equipment for SWAT/CNT, critical incidents, natural disasters, and community events. Currently own 1, with no intent to acquire additional at this time.

b.) Purpose

To be used in specific circumstances when a mobile, large, and weather-protective facility is needed.

c.) How the military equipment was used / complaints received:

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The department's command post was used for critical incidents, community engagement events, and department training.

The department did not receive any complaints or concerns related to the use of the command post in 2023.

d.) Authorized Use

Only those trained in the deployment and operations in a manner consistent with Department policy and training are authorized to operate the CP.

e.) Lifespan

The CP lifespan on the chassis and vehicle structure is approximately 20 years. Upgrades to maintain IT systems are needed approximately every 5 years.

f.) Fiscal Impact

The annual maintenance cost is approximately \$2,000. No annual maintenance, acquisition, personnel, training, transportation or storage costs.

g.) Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle within the city with an experienced driver.

h.) Legal and Procedural Rules

It is the policy of the Department to use the CP only for official law enforcement purposes and in accordance with California State law regarding the operation of motor vehicles.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None

k.) Internal Audit Results and Response

No violations

4.) 40 MM Launchers and Rounds: 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact and chemical rounds.

a.) Description, quantity, purchase cost, capabilities, and any plans to purchase more:

i.) DEFENSIVE TECHNOLOGY 40MM SINGLE SHOT LAUNCHER, estimated cost of \$1,000 each, quantity not to exceed 8, tactical single shot launcher that will fire various less lethal ammunition. Currently own 5, with no intention to exceed 8, no current intent to purchase more.

ii.) DEFENSE TECHNOLOGY FERRETT 40MM CS LIQUID, estimated cost of \$23 each, quantity not to exceed 200, a less lethal 40MM round used to deliver a small liquid chemical payload inside a structure or vehicle. Primarily used to dislodge barricaded subjects from confined areas and cause temporary discomfort in an effort to gain compliance from potentially violent or dangerous subjects. Currently own 23, with no intention to exceed 200, no current intent to purchase more.

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- iii.) 40-MILLIMETER CTS MUZZLE BLAST RIOT CS POWDER, estimated cost of \$30 each, quantity not to exceed 100, a less lethal 40MM round used to deliver a small powder chemical payload inside a structure or vehicle. Primarily used to dislodge barricaded subjects from confined areas and cause temporary discomfort in an effort to gain compliance from potentially violent or dangerous subjects. Currently own 32, with no intention to exceed 100, no current intent to purchase more.
- iv.) WOOD BATON 40MM, estimated cost of \$30 each, quantity not to exceed 50, a less lethal 40MM projectile which is accurate and effective for gaining pain compliance when deployed from approved distances. Currently own 0 and intend on purchasing an undetermined amount not to exceed 50.
- v.) MUZZLE BLAST 40MM OC, estimated cost of \$28 each, quantity not to exceed 100, the 40MM OC round is widely used as a crowd control management tool but can also be used for barricaded subjects during tactical operations. Currently own 19, with no intention to exceed 100, no current intent to purchase more.
- vi.) DEFENSE TECHNOLOGY RUBBER FOAM 40MM PROJECTILE, estimated cost of \$30 each, quantity not to exceed 50, a less lethal 40MM lightweight plastic projectile which provides accurate and effective compliance of potentially violent and dangerous subjects when fired from approved distance. Currently own 8, with no intention to exceed 50, no current intent to purchase more.

b.) Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c.) How the military equipment was used / complaints received:

40 MM launchers and rounds were only used for training purposes.

The department did not receive any complaints or concerns related to the use of the 40 MM launchers and rounds in 2023.

d.) Authorized Use:

Only those POST-certified to deploy chemical munitions are authorized to use the 40MM launchers. Situations for use of the less lethal weapon systems may include, but are not limited to:

- i.) Self-destructive; dangerous and/or combative individuals;
- ii.) Riot/crowd control and civil unrest incidents;
- iii.) Circumstances where a tactical advantage can be obtained;
- iv.) Potentially vicious animals; and
- v.) Training exercises or approved demonstrations.

e.) Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained by POST-certified less lethal and chemical agent instructors.

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f.) Lifespan

Approximately 5 years.

g.) Fiscal Impact

Annual maintenance is approximately \$50 for each launcher. No annual acquisition, personnel, training, transportation, or storage costs.

h.) Legal and Procedural Rules

It is the policy of the CHPD to utilize the 40MM only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None. If, in the future, any more were acquired, it is expected that this would be paid by the general fund or asset forfeiture funds.

k.) Internal Audit Results and Response

No violations

5.) Less Lethal Shotgun: A less lethal shotgun is used to deploy the less lethal 12-gauge Super Shock beanbag round.

a.) Description, quantity, capabilities, and any plans to purchase more:

- i.) REMINGTON 870 LESS LETHAL SHOTGUN, estimated cost of \$946 each, quantity not to exceed 12, the less lethal shotgun is used to deploy the less lethal beanbag rounds, the range of the weapon system helps to maintain space between officers and suspect reducing the immediacy of the threat which is the principle of de-escalation. Currently own 3, with no intention to exceed 12, no current intent to purchase more.
- ii.) 12-GAUGE SUPER-SHOCK BEANBAG ROUND, estimated cost of \$5 each, quantity not to exceed 200, this ballistic fiber-filled bag provides accurate and effective performance when fired from the approved distances. Currently own 47, with no intention to exceed 200, no current intent to purchase more.

b.) Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c.) How the military equipment was used / complaints received:

Less lethal shotguns were used for training purposes and apprehension of suspects during high-risk situations.

The department did not receive any complaints or concerns related to the use of less lethal shotguns in 2023.

d.) Authorized Use:

Less lethal shotguns shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training. Situations for use of the less lethal weapon systems may include, but are not limited to, the following:

- i.) Self-destructive, dangerous and/or combative individuals;

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- ii.) Riot/crowd control and civil unrest incidents;
- iii.) Circumstances where a tactical advantage can be obtained;
- iv.) Potentially vicious animals; and
- v.) Training exercises or approved demonstrations.
- e.) Lifespan
Remington 870 Less approximately 25 years.

Super-shock Beanbag Round, approximately 5 years.
- f.) Fiscal Impact
Annual maintenance is approximately \$50 for each shotgun. No annual acquisition, personnel, training, transportation, or storage costs.
- g.) Training
All officers are trained in the 12-gauge less lethal shotgun as a less lethal option by in-service training.
- h.) Legal and Procedural Rules
It is the policy of the CHPD to utilize the less lethal shotgun only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.
- i.) Concerns and Complaints Received
None
- j.) Future Acquisition Plans
None. If, in the future, any more would be acquired, it is expected that this would be paid by the general fund or asset forfeiture funds.
- k.) Internal Audit Results and Response
No violations

6.) Distraction Devices: Distraction devices are ideal for distracting dangerous suspects during assaults, hostage rescues, room entry, or other high-risk arrest situations.

- a.) Description, quantity, capabilities, and any plans to purchase more:
 - i.) COMBINED TACTICAL SOLUTIONS BAFFLED WHITE SMOKE FLASH BANGS, estimated cost of \$38 each, quantity not to exceed 200, a non-fragmenting bang device that produces a loud noise and intense bright light. Currently own 1, intend on purchasing an undetermined amount not to exceed 200.
- b.) Purpose
To produce atmospheric over-pressure and white light and, as a result, can cause short-term (6-8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.
- c.) How the military equipment was used / complaints received:
Distraction devices were used for training purposes, high-risk warrant services and high-risk situations, enhancing officer safety.

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The department did not receive any complaints or concerns related to the use of distraction devices in 2023.

d.) Authorized Use:

Diversionary devices shall only be used in the following ways:

- i.) Officers who have been trained in proper use;
- ii.) In hostage and barricaded subject situations;
- iii.) In high-risk warrant services where there may be a risk to officer safety;
- iv.) During other high-risk situations where their use would enhance officer safety and during training exercises.

e.) Lifespan

5 years

f.) Fiscal Impact

No annual maintenance, acquisition, personnel, training, transportation, or storage costs.

g.) Training

Prior to use, officers must attend diversionary device training that is conducted by POST-certified instructors.

h.) Legal and Procedural Rules

It is the policy of the CHPD to utilize diversion devices only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None. If, in the future, any more were acquired, it is expected that this would be paid for by the general fund or asset forfeiture funds.

k.) Internal Audit Results and Response

No violations

7.) Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

a.) Description, quantity, capabilities, and any plans to purchase more:

- i.) WINCHESTER M14 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 4, ability to provide lethal options from extended distances. Currently own 2, with no intention to exceed 4, no current intent to purchase more.
- ii.) TRW M14 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 2, ability to provide lethal options from extended distances. Currently own 1, with no intention to exceed 2, no current intent to purchase more.
- iii.) H&R ARMS M14 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 5, ability to provide lethal options from extended distances.

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Currently own 3, with no intention to exceed 4, nor current intent to purchase more.

- iv.) REMINGTON 700 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 7, ability to provide lethal options from extended distances. Currently own 4, with the intention to exceed 7, no current intent to purchase more.

b.) Purpose:

To be used to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c.) How the military equipment was used / complaints received:

Rifles were only used for training purposes.

The department did not receive any complaints or concerns related to the use of rifles in 2023.

d.) Authorized Use

Only officers are approved and trained per department policy.

e.) Lifespan

Approximately 15 years.

f.) Fiscal Impact

Annual maintenance is approximately \$50 for each rifle. No annual acquisition, personnel, training, transportation, or storage costs.

g.) Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle.

Additionally, all members who operate any rifle are required to pass a range qualification.

h.) Legal and Procedural Rules

It is the policy of the CHPD to utilize rifles only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None If, in the future, any more would be acquired, it is expected that this would be paid by the general fund or asset forfeiture funds.

k.) Internal Audit Results and Response

No violations

8.) Chemical Agent and Smoke Canisters: Canisters that contain chemical agents that are released when deployed.

a.) Description, quantity, capabilities, and any plans to purchase more:

- i.) DEFENSE TECHNOLOGY LAUNCHABLE FLAMELESS CS, estimated cost of \$43 each, quantity not to exceed 100, can be used in crowd control and

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tactical deployment situations. Currently own 2 and intend on purchasing an undetermined amount not to exceed 100.

- ii.) DEFENSE TECHNOLOGY INSTANTANEOUS BLAST CS, estimated cost of \$43 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations. Currently own 7, with no intention to exceed 100, no current intent to purchase more.
- iii.) DEFENSIVE TECHNOLOGY RIOT CONTROL CS, estimated cost of \$41 each, current quantity 20 and not to exceed 100, can be used in crowd control and tactical deployment situations, no current intent to purchase more.
- iv.) DEFENSE TECHNOLOGY TRI CHAMBER CS, estimated cost of \$45 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations. Currently own 28, with no intention to exceed 100, no current intent to purchase more.
- v.) DEFENSE TECHNOLOGY POCKET CS, estimated cost of \$28 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations. Currently own 0 and intend on purchasing an undetermined amount not to exceed 100.

b.) Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i.) Self-destructive, dangerous and/or combative individuals;
- ii.) Riot/crowd control and civil unrest incidents;
- iii.) Circumstances where a tactical advantage can be obtained;
- iv.) Potentially vicious animal; and
- v.) Training exercises or approved demonstrations.

c.) How the military equipment was used / complaints received:

Chemical agents and smoke canisters were only used for training purposes.

The department did not receive any complaints or concerns related to the use of Chemical agents and smoke canisters in 2023.

d.) Authorized Use:

Only officers who have received POST certification in the use of chemical agents are authorized to deploy.

e.) Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

f.) Lifespan

Approximately 5 years from the manufacturing date.

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g.) Fiscal Impact

No annual maintenance, acquisition, personnel, training, transportation or storage costs.

h.) Legal and Procedural Use

It is the policy of the CHPD to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None. If, in the future, any more would be acquired, it is expected that this would be paid by the general fund or asset forfeiture funds.

k.) Internal Audit Results and Response

No violations

9.) Explosive Breaching Tools: Tools that are used to conduct an explosive breach.

a.) Description, quantity, capabilities, and any plans to purchase more:

i.) REMINGTON 870 EXPRESS BREACHING SHOTGUN, estimated cost of \$500, quantity not to exceed 3, the weapon allows for breachers to safely utilize shotgun breaching rounds in order to defeat deadbolts, locks and hinges. The weapon has a standoff at the end of the barrel which allows for positive placement of the weapon into the correct position and vents gases to prevent over pressure. Currently own 1, with no intention to exceed 3, no current intent to purchase more.

ii.) BENELLI M4 12 GAUGE BREACHING SHOTGUN, estimated cost of \$1,500, quantity not to exceed 2, the less lethal shotgun is used to deploy the less lethal beanbag rounds, the range of the weapon system helps to maintain space between officers and suspect reducing the immediacy of the threat which is the principle of de-escalation. Currently own 1, with no intention to exceed 2, no current intent to purchase more.

b.) Purpose:

The purpose is to quickly and safely gain access to property or structure.

c.) How the military equipment was used / complaints received:

Explosive breaching tools were only used for training purposes.

The department did not receive any complaints or concerns related to the use of explosive breaching tools in 2023.

d.) Authorized Use:

Explosive breaching may only occur after authorization of a SWAT Commanding Officer or during training exercises.

The department did not receive any complaints or concerns related to the use of explosive breaching tools during 2023.

e.) Lifespan

Breaching shotgun, approximately 25 years.

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f.) Fiscal Impact

Annual Maintenance is approximately \$100. No annual, acquisition, personnel, training, transportation, or storage costs.

g.) Training

All officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction.

h.) Legal and Procedural Rules

It is the policy of the CHPD to utilize breaching tools only for official law enforcement purposes and pursuant to State and Federal law.

i.) Concerns and Complaints Received

None

j.) Future Acquisition Plans and Source of Funding

None. If in the future, any more would be acquired, it is expected that this would be paid by the general fund or asset forfeiture funds.

k.) Internal Audit Results and Response

No violations