



**Annual Report on the Police Use of Military Equipment
Assembly Bill 481 Report 2024
Reporting Period – Calendar Year 2023**

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Introduction:

This report provides a comprehensive assessment of the Irvine Police Department's (IPD) use of military equipment in compliance with Assembly Bill (AB) 481. The purpose of this report is to provide transparency, accountability, and insights into the department's acquisition, deployment, and usage of military equipment during the reporting period.

On September 30, 2021, the Governor of the State of California approved AB 481 requiring law enforcement agencies to obtain approval of the applicable governing body (Mayor and City Council) by adoption of a military equipment use policy. The department is required to seek City Council approval of their military equipment use procedure by ordinance at a regular open meeting prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined.

The bill allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The ordinance is subject to an annual City Council review to determine whether, based on an annual military equipment report, the standards set forth in the approving ordinance have been met. The City Council may renew the authorizing ordinance, disapprove authorization for particular military equipment where standards have not been met, or require modifications to the military equipment use procedure to address any non-compliance with standards.

AB 481 requires a law enforcement agency that receives approval for military equipment use to submit an annual military equipment use report. The use report is for each type of military equipment approved by the governing body within one year of approval and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use.

The annual military equipment report shall include the following information for the immediately preceding calendar year for each type of military equipment:

- (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.

Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

Methodology:

The information presented in this report is based on data provided by the Irvine Police Department. The data includes inventory records, training documentation, deployment reports, and community engagement efforts related to the use of military equipment. The reporting period for this analysis is from January 1, 2023, through December 31, 2023.

Overview of Military Equipment:

Military equipment refers to specialized equipment, typically obtained from surplus military supplies or federal programs, that law enforcement agencies acquire and utilize to enhance their capabilities in critical situations. Such equipment may include armored vehicles, tactical gear, riot control equipment, surveillance technology, and specialized firearms.

Training and Deployment Procedures:

The Irvine Police Department places significant emphasis on training its officers to safely and effectively utilize military equipment items. Officers receive specialized training on the operation, maintenance, and deployment procedures specific to each type of equipment. This training includes scenario-based exercises, de-escalation techniques, and an emphasis on the preservation of life and the protection of individual rights.

Deployment of military equipment is conducted in accordance with departmental policies and protocols. The decision to deploy such equipment is carefully evaluated, and a supervisor's approval is typically required. Situations warranting the use of military equipment include high-risk operations, acts of terrorism, armed confrontations, and natural disasters where public safety and officer well-being are at stake. Oftentimes, this equipment is deployed by the Special Weapons And Tactics (SWAT) team.

Summary of Military Equipment Usage:

The summary of military equipment usage is intended to describe specific incidents where the equipment was deployed, including the nature of the incident, the equipment used, and the outcome of the deployment.

During the reporting period, the Irvine Police Department deployed its military equipment during the following situations:

NOISE FLASH DIVERSIONARY DEVICE:

2/18/23: Tustin PD requested Irvine PD assistance with a high risk search warrant on Vetana Way in Oceanside. The suspect had multiple firearms registered to him and he was involved in a violent felony crime. During the operation, the suspect came outside and a Noise Flash Diversionary Device was utilized to help take him into custody without incident.

7/6/23: Our Special Investigations Unit was conducting surveillance on Technology West of an armed suspect who had a warrant for firearm violations and had made threats to shoot law enforcement. When the suspect exited his room, he was taken into custody without incident. A Noise Flash Diversionary Device had been prepped and the pin was removed, however it was not utilized. The Noise Flash Diversionary Device pin could not be reinserted, so it was safely deployed in a parking lot area away from the arrestee and with proper warning given to people in the area.

ARMORED RESCUE VEHICLE(S) DEPLOYMENTS:

3/6/23: Patrol call for service on Wycliffe with reports of potentially hearing multiple gunshots coming from an apartment. The resident had firearms registered to him and he refused to speak with officers. Armored vehicles were deployed and the subject eventually surrendered and was taken into custody.

7/18/23: UC Irvine Police Department requested IPD assistance in providing security for the removal of a radiological device from the campus. The Bearcat was utilized to follow the device as it was transported through the campus.

8/4/23: The Bear and Bearcat were utilized during a high risk search/arrest warrant on Kensington Park for two homicide suspects. Both armored vehicles were used to transport officers to the location.

8/28/23: Responded to assist Tustin PD on Pasadena Ave and Mitchell Ave for a homicide investigation. The armored vehicles were utilized to transport officers. A drone was utilized to search the interior of the apartment prior to officers making entry into the location.

40MM LESS LETHAL:

03/26/23: Patrol officers responded to a call of an uncooperative subject throwing rocks/concrete outside of a restaurant in a busy Irvine shopping center. The 40mm less lethal launcher was deployed and one sponge round was utilized to subdue the subject. The subject then complied and officers took him into custody.

GAS MUNITIONS / PEPPERBALL GUN / 40MM LESS LETHAL:

04/10/23: Patrol officers were involved in a vehicle pursuit. At the termination point, the driver/suspect refused to exit his vehicle and would not comply with lawful commands. The pepper-ball projectile system was utilized by shooting the projectiles inside of his vehicle. This helped control the subject and ultimately take him into custody.

12/04/23: Patrol officers responded to a residence on Descanso for a subject who was breaking into a residence with a machete. Officers later located the suspect inside a vehicle and he refused to exit the vehicle. The 40mm less lethal sponge round was used to breach the vehicle's windows. Additionally, gas munitions from the 40mm launcher (OC) and pepperball gun were utilized to force the subject out of the vehicle and take him into custody.

Mobile Comm Usage:

| DATE | TYPE OF CALL | DETAIL |
|----------|---------------|-----------------------------|
| 01/14/23 | INVESTIGATION | HOMICIDE INVESTIGATION |
| 01/31/23 | SUPPORT | SGT. TESTING SCENARIOS |
| 02/01/23 | SUPPORT | SGT. TESTING SCENARIOS |
| 02/02/23 | SUPPORT | SGT. TESTING SCENARIOS |
| 02/24/23 | INVESTIGATION | TRAFFIC COLLISION CANCELED |
| 03/06/23 | CNT/SWAT | SWAT CALLOUT |
| 04/19/23 | TRAINING | SNA/JWA DISASTER EXERCISE |
| 04/22/23 | PUBLIC | IPD OPEN HOUSE |
| 06/22/23 | TRAINING | CNT/SWAT JOINT TRAINING DAY |
| 08/01/23 | PUBLIC | NATIONAL NIGHT OUT |

| | | |
|----------|----------------------|------------------------|
| 08/03/23 | INVESTIGATION | HOMICIDE INVESTIGATION |
| 08/04/23 | CNT/SWAT | SWAT WARRANT SERVICE |
| 08/28/23 | AOD ASSIST TUSTIN PD | SWAT WARRANT SERVICE |
| 09/28/23 | PUBLIC | TIP-A-COP |

Drones and Unmanned Aircraft System (UAS) Vehicle:

In 2023, the IPD UAS team carried out over 2000 flights, amounting to more than 500 hours of airtime. The UAS vehicle was deployed on over 80 occasions to support extended operations beyond patrol-based assignments. The team currently has 15 pilots. The UAS team continues to serve as a collateral assignment within the department.

The primary purpose of the UAS is to be deployed when its view would assist officers or Incident Commanders in a variety of situations, including but not limited to: search & rescue, situational awareness during critical incidents, missing persons, fleeing suspect searches, and any other situation where the UAS would improve officer safety, public safety, and suspect safety. Over the past year, the UAS has been deployed in numerous operations such as SWAT operations, suspect searches, missing persons, barricaded suspects, high-risk traffic stops, event planning, training videos, traffic collision investigations, and crime scene photography.

The UAS team and vehicle(s) have proven to be indispensable assets in assisting the Orange County Fire Authority with hotspot mapping, search and rescue missions, and fire abatement efforts. They have been deployed at every concert to improve situational awareness for staff and officers, thereby enhancing the effectiveness of responses to calls for service. The UAS also plays a vital role in addressing crime trends such as residential burglaries, working alongside other units to detect and locate potential suspects in areas that may be unsafe or impractical for officers to monitor. This year to further enhance our capabilities and ability to support simultaneous and off-road deployments the department purchased a 4x4 Ford F250 for the UAS team. The vehicle will serve as a second command vehicle.

Furthermore, the IPD's UAS team bolsters other units' training by assisting in documenting exercises such as mounted operations, active shooter scenarios, emergency vehicle operations, and SWAT. The UAS is deployed alongside the IPD SWAT team and CNT, allowing for enhanced situational awareness during critical incidents, which in turn increases the safety of the public, officers, and suspects.

The positive impact of the IPD's UAS team extends beyond our city limits, as they have also provided assistance to neighboring cities such as Tustin, Newport Beach, Santa Ana, and Huntington Beach during critical incidents. The UAS program has also supported allied agencies such as DEA, Task Forces, California State Parks, FBI, and the FAA.

Summary of Complaints:

The department did not receive any complaints concerning military equipment use in 2023.

Violations of Policy / Internal Audits:

An internal review regarding the use of the aforementioned equipment revealed no violations of policy.

Total Annual Costs and Inventory of Military Equipment:

The estimated annual cost for the maintenance and use of the military equipment in our current inventory is defined in our policy and listed under each specific item. Not all items incur an annual maintenance cost. The following constitutes an inventory of previously purchased equipment deemed to be military equipment as defined by our policy:

707.4.1 UNMANNED AIRCRAFT SYSTEMS (UAS)

Description: A UAS is an unmanned aircraft and the equipment necessary for the safe and efficient operation of the aircraft. An unmanned aircraft is a component of a UAS. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Quantity: 31

Capabilities: Sustained flight controlled by a remote pilot on the ground.

Expected Lifespan: 3 to 5 years

Product Description: Commercially available platforms for aerial productivity combining a configurability to work as a solution for a variety of industrial applications with flight safety and data security features.

Purpose and Authorized Use: To assist police personnel in enhancing public safety while protecting the rights and privacy of the general public (Policy 339.2).

Training Required: Federal Aviation Administration (FAA) Part 107 License and Department provided monthly training.

Initial Cost: \$200,000

Annual Cost: \$100,000

707.4.2 UAS VAN

Description: A mobile command vehicle to enhance or reestablish communication and coordination during UAS deployments, emergency incidents, special events, and community outreach.

Quantity: One

Capabilities: Mobile command post for supporting UAS deployments.

Expected Lifespan: 10 years

Product Description: 21 foot Command Center Sprinter 3500 MBE 3.0L.

Purpose and Authorized Use: Provide a mobile platform for safe UAS deployments.

Training Required: Class C driver's license.

Initial Cost: \$255,052

Annual Cost: \$42,000

707.4.3 UAS TRUCK

Description: A 4x4 mobile command vehicle to enhance or reestablish communication and coordination during UAS deployments, emergency incidents, special events, and community outreach.

Quantity: One

Capabilities: Mobile command post for supporting off-road, smaller and simultaneous UAS deployments.

Expected Lifespan: 10 years

Product Description: Ford F250 Crew Cab with standard bed

Purpose and Authorized Use: Provide a mobile platform for safe UAS deployments.

Training Required: Class C driver's license

Initial Cost: \$150,000

Annual Cost: \$20,000

707.4.4 FIREARM - RIFLE

Description: Firearm designed and intended to be fired from the shoulder and designed to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

Quantity: 140

Capabilities: Fires a lethal projectile

Expected Lifespan: 20+ years

Product Description: Patrol rifle of .223 or 5.56 caliber

Purpose and Authorized Use: May be deployed in any circumstance where personnel can articulate a reasonable expectation that the rifle may be needed (Policy 314.3.3).

Training Required: 16-hour POST approved course with qualification and annual training with requalification.

Initial Cost: \$125,100

Annual Cost: N/A

707.4.5 40MM PROJECTILE LAUNCHER

Description: Less lethal weapon which uses a propellant cartridge to launch a kinetic energy impact projectile.

Quantity: 77

Capabilities: Fires a less lethal kinetic energy projectile.

Expected Lifespan: 20+ years

Product Description: LMT 40mm SingleShot Launcher #1425.

Purpose and Authorized Use: Less lethal, intermediate force option (Policy 310.3.1).

Training Required: Training and qualification once per year.

Initial Cost: \$69,300

Annual Cost: N/A

707.4.6 MOBILE COMMAND VEHICLE(S)

Description: A vehicle used to enhance communication and coordination during emergency incidents, special events, or community outreach.

Quantity: Two (Mobile Command Communications Vehicle (MCCV) and Mobile Comm)

Capabilities: On-scene incident command functions may be performed from a mobile command vehicle.

Expected Lifespan: 20 years

Product Description:

- MCCV: Fleetwood Motorhome
- Mobile Comm: Freightliner Custom

Purpose and Authorized Use: A mobile command vehicle provides a strategic location for police personnel during emergency incidents, special events, or community outreach events. Use of this equipment is also appropriate for large scale events that require advanced coordination of large numbers of police and other safety or first responder personnel.

Training Required:

- MCCV: Class C driver license and additional department provided vehicle-specific, driver and operational training.
- Mobile Comm: Class B drivers license and additional department provided vehicle specific, driver and operational training.

Initial Cost:

- MCCV: \$152,665
- Mobile Comm: \$399,127

Annual Cost:

- MCCV: \$12,008

- Mobile Comm: \$10,999

707.5 MILITARY EQUIPMENT INVENTORY - SWAT

The following constitutes an inventory of previously purchased equipment deemed to be military as defined by this policy. The equipment in this section is primarily used by members of the SWAT Team.

707.5.1 FIREARM - RIFLE

Description: Firearm designed and intended to be fired from the shoulder and designed to use the energy of the explosive in a fixed metallic cartridge to fire one or more projectile(s) through a rifled bore for each pull of the trigger.

Quantity: 28

Capabilities: Fires a lethal projectile.

Expected Lifespan: 20+ years

Product Description: Patrol rifle of .223, 5.56, and .308 caliber

Purpose and Authorized Use: May be deployed in any circumstance where personnel can articulate a reasonable expectation that the rifle may be needed (Policy 314.3.3).

Training Required: 16-hour POST approved course with qualification and additional training on safe use and deployment and device functionality. Must demonstrate proficiency with recertification twice per year.

Initial Cost: \$25,200

Annual Cost: N/A

707.5.2 40MM PROJECTILE MULTI-LAUNCHER

Description: Less lethal weapon which uses a propellant cartridge to launch a kinetic energy impact projectile.

Quantity: Three

Capabilities: Fires a less lethal kinetic energy projectile.

Expected Lifespan: 20+ years

Product Description: Penn Arms PGL65.

Purpose and Authorized Use: Less lethal, intermediate force option (Policy 310.3.1).

Training Required: Training and qualification once per year.

Initial Cost: \$4,500

Annual Cost: N/A

707.5.3 ARMORED RESCUE VEHICLE - BEAR

Description: An armored rescue vehicle deployed during high-risk incidents, special events, and community outreach.

Quantity: One

Capabilities: Mobile armored vehicle to support high-risk deployments.

Expected Lifespan: 15 years.

Product Description: Ballistic Engineered Armored Rescue (BEAR) Vehicle, steel armor construction.

Purpose and Authorized Use: To assist police personnel in enhancing public safety while transporting first responder personnel and/or community members to/from high-risk situations. Provide a mobile platform for safe personnel deployments.

Training Required: Class B driver license.

Initial Cost: \$293,745

Annual Cost: \$52,500

707.5.4 ARMORED RESCUE VEHICLE - BEARCAT

Description: An armored rescue vehicle deployed during high-risk incidents, special events, and community outreach.

Quantity: One.

Capabilities: Mobile armored vehicle to support high-risk deployments.

Expected Lifespan: 15 years.

Product Description: Ballistic Engineered Armored Response Counter Attack Truck (BEARCAT) Vehicle, steel armor construction.

Purpose and Authorized Use: To assist police personnel in enhancing public safety while transporting first responder personnel and/or community members to/from high-risk situations. Provide a mobile

platform for safe personnel deployments. Suppress active fire(s) using the built-in fire mitigation technology.

Training Required: Familiarization with the built-in fire mitigation and ALS equipment

Initial Cost: \$365,986.

Annual Cost: \$48,000.

707.5.5 KINETIC BREACHING TOOL

Description: A hand-held breaching tool engineered to deliver high impact energy to defeat locking mechanisms.

Quantity: Seven

Capabilities: Provides for safer, faster, stronger breaching.

Expected Lifespan: 10 years

Product Description: Powder activated kinetic energy force entry tool.

Purpose and Authorized Use: May be deployed in any circumstance where the member needs to breach a door quickly and safely.

Training Required: Training on safe use and deployment and device functionality.

Initial Cost: \$10,000

Annual Cost: N/A

707.5.6 BREACHING SHOTGUN

Description: Manually operated, pump-action, tube magazine fed, closed-bolt, 12-gauge firearm used to defeat locking mechanisms.

Quantity: Two

Capabilities: Traditional breaching method provides for quick breaching of multiple locking mechanisms.

Expected Lifespan: 10 years

Product Description: Remington 870 MCS Tactical Shotgun.

Purpose and Authorized Use: May be deployed in any circumstance where the member needs to breach a door quickly and safely.

Training Required: Training on safe use and deployment and device functionality.

Initial Cost: \$2,000.

Annual Cost: N/A

707.5.7 CHEMICAL AGENT LAUNCHING DEVICE

Description: Device for alternate delivery of a chemical agent.

Quantity: Two

Capabilities: Affixes to a shotgun to allow for safe deployment of a chemical agent from a distance.

Expected Lifespan: 20+ years

Product Description: Defense Technology 12-GAUGE TKO/LAUNCHING CUP.

Purpose and Authorized Use: Less lethal, intermediate force option (Policy 310.3.1).

Training Required: Training on safe use and deployment and device functionality. Must demonstrate proficiency with recertification twice per year.

Initial Cost: \$350

Annual Cost: N/A

707.5.8 CHEMICAL AGENTS

Description: Less lethal device utilized to deploy and discharge chlorobenzylidene malonitrile (CS) and oleoresin capsicum (OC) gas.

Quantity: 100

Capabilities: Designed to deliver chemical agents during high-risk situations.

Expected Lifespan: 5 years

Product Description: Individual, single use canisters of CS or OC gas.

Purpose and Authorized Use: Less lethal, intermediate force option (Policy 310.3.1).

Training Required: Training on safe use and deployment and device functionality. Must demonstrate proficiency with recertification twice per year.

Initial Cost: \$5,000

Annual Cost: Recurring purchase as needed

707.5.9 PEPPERBALL LAUNCHER

Description: Less lethal launcher which uses a high pressure air system to launch kinetic energy

impact munition.

Quantity: Nine (eight TACSF 69 caliber semi/3 round burst/full auto multi-launcher and one FN 303 less lethal launcher).

Capabilities: Fires a less lethal kinetic energy projectile.

Expected Lifespan: 20+ years

Product Description:

- TACSF 69 caliber, semi/3 round burst/full auto multi-launcher
- FN 303 less lethal launcher

Purpose and Authorized Use: Less lethal, intermediate force option (Policy 310.3.1).

Training Required: Training and recertification twice per year.

Initial Cost:

- TACSF 69 caliber, semi/3 round burst/full auto multi-launcher: \$2,880
- FN 303 less lethal launcher: \$1,299

Annual Cost: N/A

707.5.10 NOISE FLASH DIVERSIONARY DEVICE (NFDD)

Description: Device that produces a loud sound with a bright light that is intended to cause confusion and distraction.

Quantity: 30

Capabilities: Distraction device used to minimize the risks to all parties by the temporary distraction or disorientation of potentially violent or dangerous suspects.

Expected Lifespan: 5 years

Product Description: Separating fuse affixed to a non-bursting steel canister.

Purpose and Authorized Use: To distract/disorient potentially violent or dangerous suspects.

Training Required: Training and recertification twice per year.

Initial Cost: \$1,000

Annual Cost: Recurring purchase as needed.

707.5.11 RECON SCOUT

Description: The Recon Scout is a throwable/drivable remote controlled platform that is equipped with a camera allowing the operator to obtain instantaneous video within indoor and outdoor environments.

Quantity: One

Capabilities: Remote operated, drivable platform capable of transmitting live video from a forward facing camera.

Expected Lifespan: 10 Years.

Product Description: A small throwable remote operated platform equipped with a camera capable of being driven up to 150 feet from the operator while transmitting video back to the operator.

Purpose and Authorized Use: To assist police personnel in enhancing public safety while protecting the rights and privacy of the general public.

Training Required: None.

Initial Cost: \$2,000

Annual Cost: N/A

Acquisition of Additional Equipment:

During the calendar year 2023, the Irvine Police Department purchased more of the following items which were already part of our military equipment inventory list:

| <u>Description</u> | <u>Quantity</u> | <u>Reason</u> |
|----------------------------------|-----------------|---------------------|
| Patrol Rifle | 1 | Test and Evaluation |
| Kinetic Breaching Tools | 6 | Patrol Vehicles |
| Less Lethal Pepperball Launchers | 6 | Patrol Vehicles |

Additionally, in 2019 the Irvine Police Department started the procurement process to acquire an additional armored vehicle. In May of 2023 the Irvine Police Department took possession of the vehicle. This vehicle, known as a “BearCat”, was acquired through the homeland security grant program UASI (Urban Area Security Initiative). This armored vehicle was added to the aforementioned inventory list of military equipment.

Future Acquisition of Additional Equipment:

As the size of our police department grows, as does the fleet of our patrol vehicles. For 2024, the department intends to add four additional police vehicles to our patrol fleet. As a result, the department does intend to acquire and purchase 4 additional patrol rifles and 40mm’s as needed to outfit our patrol vehicle fleet with the same equipment as all of our other existing patrol vehicles.

Community Outreach and Transparency:

The Irvine Police Department recognizes the importance of maintaining open lines of communication with the community regarding the use of military equipment. Efforts to promote transparency and engage with the community are of the utmost importance.

It is important to note that the deployment of military equipment is subject to continuous review and evaluation to ensure its necessity, appropriateness, and adherence to departmental policies.

Pursuant to AB 481 and department policy, the Irvine Police Department will be sharing this annual use report meeting at the Irvine City Council Meeting on May 14, 2024.