



# 2023 Annual Report Stanislaus County



## Assembly Bill 481 Military Equipment Use By Law Enforcement

## HISTORY

In September of 2021, the State of California enacted Assembly Bill 481, in which the Legislature found and declared the following:

(a) The acquisition of military equipment and its deployment in our communities adversely impacts the public's safety and welfare, including increased risk of civilian deaths, significant risks to civil rights, civil liberties, and physical and psychological well-being, and incumbent of significant financial costs. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities.

(b) The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment.

(c) Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.

(d) Legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

(e) The lack of a public forum to discuss the acquisition of military equipment jeopardizes the relationship police have with the community, which can be undermined when law enforcement is seen as an occupying force rather than a public safety service.

To address these concerns, AB 481 requires every law enforcement agency to do the following:

- Create a military use policy.
- Obtain approval of that policy by each agency's applicable governing body.
- Publish that policy 30 days prior to the above required approval hearing.
- Create an Annual Report of each agency's military equipment use.
- Hold a community engagement meeting within 30 days of submitting/publicly releasing the above Annual Report.

On December 20, 2022, the Stanislaus County Board of Supervisors approved Ordinance 1336 approving the Military Equipment Use Policies for the Stanislaus County Sheriff's Office, District Attorney's Office, and the Probation Department. As required by Assembly Bill 481, Stanislaus County must prepare a report on the use of each type of military equipment approved in the Policy over the last year. Subsequently, the Board of Supervisors must then review the Ordinance, Policy, and Annual Report, and make the determination of whether any department's use of military equipment in the past year complied with the Policy, whether to continue the Ordinance and Policy, take action (by ordinance) to modify the Policy, or repeal the Ordinance.

The Annual Report outlines the Sheriff's Office, District Attorney's Office and the Probation Department's military equipment inventory and community complaints over their respective use of military equipment, and internal audits from January 1, 2023, through December 31, 2023. The County will submit its Military Equipment Annual Report to the Board of Supervisors annually.

## **OVERVIEW**

Pursuant to California Government Code section 7072(a), the Annual Report shall, at a minimum, 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.

There are currently 15 categories contained in the legislation and there are only 6 that refer to current inventory in the Sheriff's Office, District Attorney's Office and Probation Department.

## **INTERNAL INVENTORY AND AUDIT**

An annual inventory and audit were performed regarding the use of Military Equipment. There were no violations found. The items on the Military Use Report are being used within each Department's policies, and in accordance with all laws.

## **EQUIPMENT CATEGORIES WITH CURRENT INVENTORY**

### Category 1

Description: Unmanned, remotely piloted, powered aerial or ground vehicles

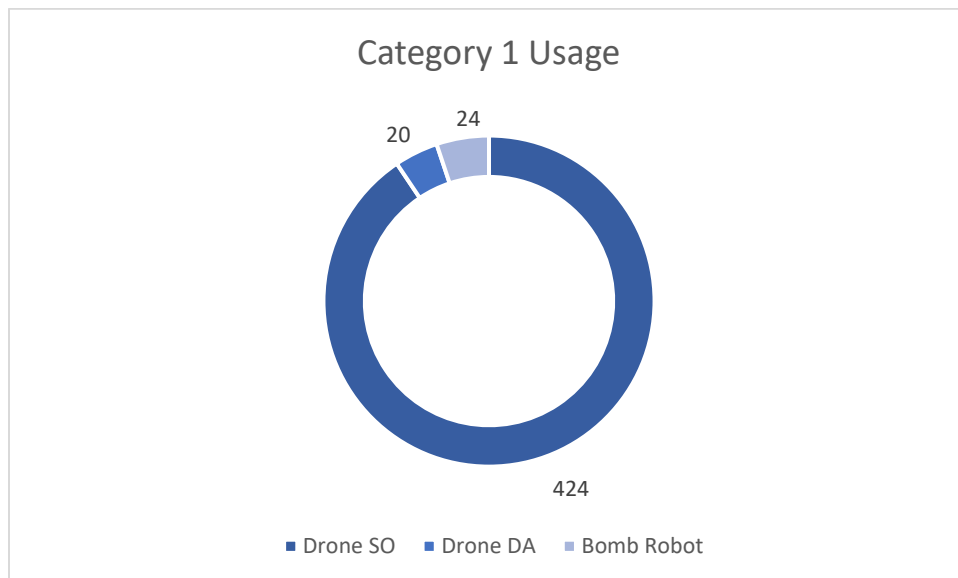
Purpose: Unmanned Aerial Systems (UAS) are to be deployed when their use would assist officers or Incident Commanders with law enforcement and search and rescue related functions. Bomb Squad robots are used to investigate, and render safe, suspicious packages and improvised explosive devices.

Both robots have 2-way audio/video capabilities and can be used to communicate in dangerous situations, removing the need to expose officers to bodily injury or death.

Inventory:

| Dept | Equipment Description           | Unit | Est Cost (per unit) | Life Span (in years) | Est Ongoing Costs |
|------|---------------------------------|------|---------------------|----------------------|-------------------|
| SO   | DJI Matrice 300 RTK             | 1    | \$40,000            | 5                    | \$5,000           |
| SO   | DJI Inspire 2                   | 1    | \$5,500             | 5                    | \$500             |
| SO   | DJI Mavic 2 Dual                | 2    | \$4,000             | 5                    | \$500             |
| SO   | DJI Mavic 2 Zoom                | 4    | \$3,000             | 5                    | \$500             |
| SO   | DJI Mavic 2 Enterprise Advanced | 3    | \$8,000             | 5                    | \$2,000           |
| SO   | Mavic Mini V1 & V2              | 8    | \$500               | 5                    | \$500             |
| DA   | DJI Phantom IV                  | 1    | \$2,000             | 5                    | \$500             |
| DA   | DJI Mavic II                    | 4    | \$3,500             | 5                    | \$2,000           |
| SO   | Remotec F6B robot               | 1    | \$50,000            | 15                   | \$1,500           |
| SO   | iRobot Pacbot robot             | 1    | \$50,000            | 15                   | \$1,500           |

Usage: In 2023, there were 468 uses of equipment in this category. There were 424 uses of the drones used by the Sheriff’s Office for law enforcement missions, 20 uses of the drones used by the DA’s Office for fire investigation purposes, and 24 uses of the Sheriff’s bomb robots for bomb call outs.



Category 2

Description: Mine-resistant, ambush-protected (MRAAP) vehicles or armored personnel carriers. However, the police version of standard consumer vehicles are specifically excluded from this subdivision.

Purpose: Commercially produced wheeled Armored Personnel vehicles utilized for law enforcement purposes.

Inventory:

| Dept | Equipment Description   | Unit | Est Cost (per unit) | Life Span (in years) | Est Ongoing Costs |
|------|-------------------------|------|---------------------|----------------------|-------------------|
| SO   | Armored Vehicle (Lenco) | 2    | \$300,000           | 15                   | \$10,000          |

Usage: The Lencos are used for a wide variety of investigative, enforcement and officer-safety activities. Amongst these uses in the last year were for safe transportation in and out of critical areas during officer involved shootings, SWAT missions, cannabis eradication, and search warrants.

Category 5

Description: Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

Purpose: Vehicles or trucks and trailers used for a mobile office command center that provides shelter, access to department computer and communication systems during extended events.

Inventory:

| Dept | Equipment Description                          | Unit | Est Cost (per unit) | Life Span (in years) | Est Ongoing Costs |
|------|--|------|---------------------|----------------------|-------------------|
| SO   | Mobile Incident Command Post (Stationary)      | 1    | \$250,000           | 10                   | \$10,000          |
| SO   | Mobile Incident Command Post (Crime Scene Van) | 1    | \$150,000           | 10                   | \$10,000          |
| SO   | Mobile Incident Command Post (Sprinter Van)    | 3    | \$150,000           | 10                   | \$10,000          |

Usage: The Stationary Mobile Command Post is used for large scale events like the Stanislaus County Fair that need a long-term command presence. The Crime Scene van is used to support investigators at crime scenes and the Sprinter Vans are used to support deputies on calls that require a command presence, hostage negotiators or other related activities.

Category 10

Description: Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

Purpose: Rifles and Ammunition-Shoulder mounted firearms allowing greater precision and accuracy over long distances. Probation Officers may encounter these types of weapons during critical incident scenarios and should know how to safely handle these weapons.

Inventory:

| Dept | Equipment Description                | Unit   | Est Cost (per unit) | Life Span (in years) | Est Ongoing Costs |
|------|--------------------------------------|--------|---------------------|----------------------|-------------------|
| PROB | Colt AR-15A3 Rifles                  | 4      | \$1,200             | 25                   | \$20              |
| PROB | Smith & Wesson M&P-15 Rifles         | 4      | \$650               | 25                   | \$20              |
| PROB | Federal FMJ 55 grain .223 ammunition | 30,000 | \$0.40              | 10                   | \$0               |

Usage: The Probation Department uses the above inventory for training purposes only and does not carry these weapons on duty. In 2023, this equipment was used during three training days to allow Probation Officers to be familiar with these types of weapons that they could encounter during critical incidents or mutual aid situations.

### Category 12

Description: "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

Purpose: "Flashbangs" or Noise Flash Diversionary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.

Inventory:

| Dept | Equipment Description           | Unit  | Est Cost (per unit) | Life Span (in years) | Est Ongoing Costs |
|------|---------------------------------|-------|---------------------|----------------------|-------------------|
| SO   | PepperBall FTC Launcher         | 41    | \$500               | 10                   | \$0               |
| SO   | PepperBall VKS Launcher         | 2     | \$1,000             | 10                   | \$0               |
| SO   | PepperBall LIVE projectile      | 9,100 | \$3                 | 2                    | \$0               |
| SO   | PepperBall Inert projectile     | 5,300 | \$1                 | 2                    | \$0               |
| SO   | Noise Flash Diversionary Device | 154   | \$50                | 2                    | \$0               |
| SO   | CS/OC Gas Canister              | 125   | \$40                | 5                    | \$0               |
| SO   | White Smoke Canister            | 63    | \$30                | 5                    | \$0               |

|    |                        |    |      |   |     |
|----|------------------------|----|------|---|-----|
| SO | CTS Sting-ball         | 39 | \$50 | 5 | \$0 |
| SO | CTS Sting-ball with CS | 32 | \$50 | 5 | \$0 |

Usage: Categories 12 and 14 are closely related as they are both less lethal types of equipment for combined usage report. See below for Category 12 usage.

Category 14

Description: The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.

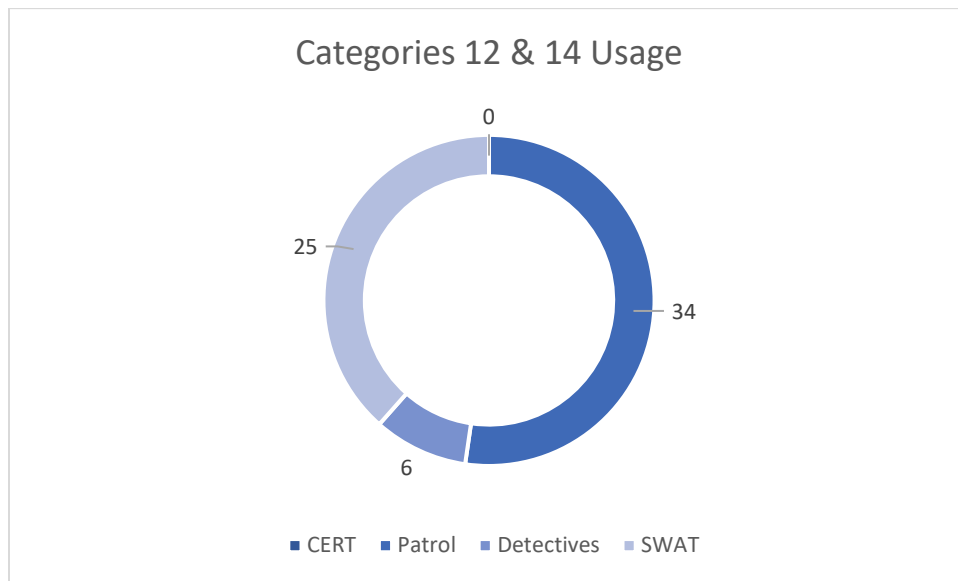
Purpose: 40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.

Inventory:

| Dept | Equipment Description                            | Unit  | Est Cost (per unit) | Life Span (in years) | Est Ongoing Costs |
|------|--|-------|---------------------|----------------------|-------------------|
| SO   | Remington 870 Less Lethal Shotgun                | 144   | \$800               | 10                   | \$500             |
| SO   | CTS 12 gauge Super Sock Bean Bag Impact round    | 3,135 | \$5                 | n/a                  | \$0               |
| DA   | Mossberg 590 Less Lethal Shotgun                 | 2     | \$600               | 20                   | \$20              |
| DA   | CTS 12 Gauge Super-Sock Bean Bag Impact Round    | 150   | \$7                 | 5                    | \$0               |
| SO   | 12 gauge Super Star rounds                       | 665   | \$5                 | n/a                  | \$0               |
| SO   | 12 gauge Muzzle Bang rounds                      | 51    | \$10                | n/a                  | \$0               |
| SO   | Defense Technology/LMT 40mm single shot launcher | 8     | \$500               | 10                   | \$500             |
| SO   | Defense Technology/LMT 40mm four shot launcher   | 3     | \$1,000             | 10                   | \$500             |
| SO   | CTS/ Penn Arms 40mm single shot launcher         | 3     | \$1,200             | 10                   | \$500             |
| SO   | 40mm projectiles                                 | 120   | \$5                 | n/a                  | \$0               |
| SO   | CTS 40mm projectiles (Foam baton Rounds)         | 76    | \$35                | 5                    | \$0               |
| SO   | CTS 40mm projectiles (Stingball Rounds)          | 21    | \$25                | 5                    | \$0               |
| SO   | CTS 40mm projectiles (Aerial Flash Bang)         | 39    | \$40                | 5                    | \$0               |

Usage: In 2023, there were 68 uses of equipment in both category 12 and 14. The Sheriff’s Correctional Emergency Response Team (CERT) trained three times on pepper ball, 40 mm launcher, chemical agents,

and less lethal shotguns but did not use them during any operation in the facilities. The Sheriff's SWAT team used flashbangs 25 times during SWAT missions during the past year. Use of flashbangs are dependent on the level of cooperation by suspect and are used following department policy. Patrol and Detectives used a combination of the less lethal options 40 times during calls for service where there was passive non-compliance, active resistance, fleeing or assaultive behavior, and all were used following department policy.



### **CATEGORIES WITH NO INVENTORY**

Category 3 - High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

Category 4 - Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

Category 6 - Weaponized aircraft, vessels, or vehicles of any kind.

Category 7 - Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.

Category 8 - Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

Category 9 - Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.



Category 11 - Any firearm or firearm accessory that is designed to launch explosive projectiles.

Category 13 - Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).

Category 15 - Any other equipment as determined by a governing body or a state agency to require additional oversight.

### **SUMMARY OF COMPLAINTS REGARDING MILITARY EQUIPMENT USAGE**

There were no complaints received by any departments regarding the use of military equipment in 2023.

### **SUMMARY AND RESPONSES TO MILITARY EQUIPMENT POLICY VIOLATIONS**

There were no policy violations regarding military equipment usage in 2023.

### **FUTURE MILITARY EQUIPMENT PURCHASES**

The Sheriff's Office, District Attorney's Office, and the Probation Department, intend to purchase additional or replace equipment and other related items in the current inventory. These purchases will be made in part, on the needs of each Department, availability of funding, needs to replace aging or damaged equipment, and advances in technology.

### **LINKS TO INFORMATION RELATED TO AB 481**

[AB-481 Bill Information](#)

[Board of Supervisors Item 12.06.22 - Introduce and Waive First Reading of Ordinance](#)

[Board of Supervisors Item 12.20.22 - Waive Second Reading and Adopt Ordinance](#)

[Sheriff's Office Policy, Training and Legislative Affairs](#)

[District Attorney's Policies and Procedures](#)

[Probation Department Policy and Training](#)