



Annual AB 481 Equipment Report

LA MESA POLICE DEPARTMENT 2023

Executive Summary

AB 481, approved by the Governor on September 30, 2021, requires law enforcement agencies to obtain approval of the applicable governing body by adoption of a military equipment use policy. The La Mesa Police Department is required to seek City Council approval of its military equipment use by ordinance at a regular open meeting prior to taking certain actions related to the finding, acquisition, or use of military equipment, as defined in Government Code 7070(c).

The bill allows the City Council to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines the military equipment meets specified standards. La Mesa Ordinance 2022-2896 was passed and adopted by the La Mesa City Council on April 26, 2022. This ordinance is subject to annual City Council review to determine whether, based on an annual military equipment report, the standards set forth in that 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.

The bill also requires publication of the military equipment use procedure and the annual military equipment report on the Department's website. The military equipment use procedure must be posted on the website at least 30 days prior to the Council meeting.

Section 7072 of the Government Code states:

- (a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report 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, 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.
- (b) 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.

Introduction

The La Mesa Police Department retains and employs a variety of equipment to assist in safely achieving the furtherance of its mission to “protecting life and property while promoting community involvement through professional service, honor, trust and integrity.” While the inventory of equipment is varied, the mere possession of the equipment does not warrant its use during every incident.

The La Mesa Police Department recognizes that critical incidents are unpredictable and can be dynamic in nature. A variety of equipment options can greatly assist trained officers and supervisors in bringing those incidents to a swift and safe resolution. The use of this equipment is restricted by Department policy for use only in certain instances and in some cases only by certain units and highly trained personnel.

While the Department’s equipment procedure is wide-ranging, it is not all inclusive. There may be circumstances where unpredictable incidents demand the need for incident commanders to authorize the use of equipment in a manner not outlined within Department procedures. In evaluating those instances, the judgement of the incident commander in considering the totality of the circumstances, public safety, officer safety, civil rights, and information known to the incident commander at the time will be used.

It is incumbent upon incident commanders, supervisors, individual officers, and specific units to recognize the particular circumstances in which equipment should be employed to enhance public safety and the safety of officers, in order to bring critical incidents to a safe resolution.

Definitions

The La Mesa Police Department recognizes that differing terms, descriptions, or terminology is often applied to military equipment. Therefore, in the interest of transparency and clarity, this report will utilize definitions enumerated in Government Code 7070, which states:

(a) “Governing body” means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff’s department or a district attorney’s office, “governing body” means the board of supervisors of the county.

(c) “Military equipment” means the following:

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- (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.
- (4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (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. 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.
- (8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- (9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
- (10) 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.
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

(12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.

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

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

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

(16) Notwithstanding paragraphs (1) through (15), “military equipment” does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

(d) “Military equipment use policy” means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency that addresses, at a minimum, all of the following:

(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.

(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment.

(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.

(4) The legal and procedural rules that govern each authorized use.

(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.

(6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.

(7) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

Government Code 7072(a)(1) Equipment Use Summary 2023

TRAINING EVENT USAGE

Expendables are recorded based on the number of rounds utilized during training events. Multi-use items and platforms are recorded based on the number of training events conducted during the year. During each training event, multiple users may receive training on each piece of equipment. In 2023, the La Mesa Police Department utilized the following equipment during training events:

Equipment Used	Category	Total Quantity Used
Lenco BearCat	3	5 training events
Mobile Command Vehicle (MCV)	5	1 training event
Autel Unmanned Aircraft System (UAS)	1	4 training events
Skydio 2 Unmanned Aircraft System (UAS)	1	1 training event
Pepperball 2% PAVA Rounds	12	6 rounds
CTS 4431 CS 40mm powder projectile	12	6 rounds
CTS 5230B CS canister grenade	12	2 rounds
CTS 6230 CS canister grenade	12	1 round
CTS 2430 CS 12-gauge powder projectile	12	8 rounds
40mm Launcher	14	4 training events
Bean Bag shotgun	14	6 training events
CTS 2581 Super Sock cartridge (bean bag)	14	424 rounds
Speer LE Gold Dot Ammo, .223 (from M4)	10	10,305 rounds
Hornady ELD Match Tap Precision Ammo, .308	10	374 rounds
Daniel Defense M4 Rifle	10	14 training events
Remington .308 700 Rifle	10	4 training events
H&K MP5 (9mm)	10	1 training event
H&K MP5 (.40)	10	1 training event
Pepperball (inert rounds)	12	743 rounds
Pepperball Tac 700 Launcher	12	6 training events
9mm ammo (from H&K MP5)	10	250 rounds
.40 ammo (from H&K MP5)	10	26 rounds
4557 40mm foam baton	14	59 rounds
LT2-F Robot	1	1 training event
Colt M4 Rifle	10	11 training events
CTS 7290 Flash Bang	12	3 rounds

FIELD INCIDENT USAGE

Although deployed and available for use during an incident, not all pieces of equipment are utilized during an incident. For example, officers may carry a bean bag shotgun with them during an incident but do not fire any Super Sock cartridges during that incident and thus the cartridges are not included on the above table. Accordingly, the following information differentiates between equipment *deployed* and equipment *discharged*. In 2023, the La Mesa Police Department utilized AB 481 equipment during the following field incidents:

Date	Equipment Used	Category	# Used	Description
January 24	Lenco BearCat	3	1 deployed	Report of an active shooter at Lemon Avenue Elementary.
February 8	Bean Bag Shotgun	14	1 deployed	Report of a subject with a knife.
February 28	Bean Bag Shotgun	14	1 deployed	Service of a felony arrest warrant.
February 28	Bean Bag Shotgun	14	1 deployed	Report of a stabbing.
March 2	Bean Bag Shotgun	14	1 deployed	Report of a subject with a knife.
March 3	Bean Bag Shotgun	14	1 deployed	Domestic violence incident.
March 19	Bean Bag Shotgun	14	1 deployed	Report of a subject with a knife.
March 31	Bean Bag Shotgun	14	1 deployed	Barricaded subject with a knife.
	Pepperball Tac 700 Launcher	12	1 deployed	
April 6	Bean Bag Shotgun	14	1 deployed	Burglary in progress.
April 10	Colt M4 Rifle	10	1 deployed	Report of a shooting that just occurred.
April 14	Bean Bag Shotgun	14	1 deployed	Occupied stolen vehicle.
April 25	Bean Bag Shotgun	14	1 deployed	Report of a subject with a knife.
April 28	Autel Unmanned Aircraft System (UAS)	1	1 deployed	Report of a subject with a gun at Helix High School.
May 1	Bean Bag Shotgun	14	1 deployed	Report of a subject breaking vehicle windows with a hammer.
May 2	Bean Bag Shotgun	14	1 deployed	Report of a stabbing.
May 16	Autel UAS	1	1 deployed	Burglary at a business. Check the roof and search for evidence.
May 17	Autel UAS	1	1 deployed	Area search in thick brush for a subject yelling.
May 21	Autel UAS	1	1 deployed	Search for shoplifting suspect.
May 23	LT2-F Robot	1	1 deployed	Search for burglary suspect.
May 29	Autel UAS	1	1 deployed	Search for missing juvenile.
June 4	Autel UAS	1	1 deployed	Search for assault suspect.

June 6	Autel UAS	1	1 deployed	Suicidal subject with a weapon.
June 17	Autel UAS	1	1 deployed	Search for burglary suspect.
June 21	Autel UAS	1	1 deployed	Search for vandalism suspect.
June 21	Autel UAS	1	1 deployed	Search for trespasser.
June 22	Autel UAS	1	1 deployed	Search for an armed suspect.
June 27	Autel UAS	1	1 deployed	Search for domestic violence suspect.
July 9	Autel UAS	1	1 deployed	Search for suspect in hit-and-run collision.
July 13	Autel UAS	1	1 deployed	Search for prowling suspect.
July 15	Autel UAS	1	1 deployed	Search for burglary suspect.
July 31	Autel UAS	1	1 deployed	Search for robbery suspect.
August 6	Mobile Command Vehicle	1	1 deployed	Officer Involved Shooting investigation.
August 18	Autel UAS	1	1 deployed	Search for trespasser.
September 10	Pepperball Tac700 Launcher	12	1 deployed	Barricaded subject inside a garage. Rounds deployed for area saturation inside garage.
	Pepperball (2% PAVA rounds)	12	20 rounds discharged	
December 3	Daniel Defense M4 Rifle	10	5 deployed	Barricaded subject. SRT response.
	Bean Bag Shotgun	14	1 deployed	
December 11	Autel UAS	1	1 deployed	Barricaded subject. SRT response. Pepperball used for area saturation only; the 200 rounds were discharged over the course of approximately 4 hours while the subject was barricaded inside a closet. Beanbag rounds fired at the subject when he exited the closet and began reaching for something, however none of the beanbag rounds struck the subject. He was taken into custody and did not sustain any injuries.
	Lenco BearCat	1	1 deployed	
	LT2-F Robot	1	1 deployed	
	Mobile Command Vehicle	1	1 deployed	
	Daniel Defense M4 Rifle	10	10 deployed	
	CTS 7290 Flash Bang	12	1 discharged	
	Pepperball Tac700 Launcher	12	2 deployed	
	Pepperball (2% PAVA rounds)	12	200 rounds discharged	
	40mm Launcher	14	2 deployed	
	Bean Bag Shotgun	14	2 deployed	
	CTS 2581 Super Sock cartridge	14	2 rounds discharged	

Complaints Summary Regarding Equipment Usage Per Government Code 7072(a)(2)

In some instances, the application and use of equipment specified in Government Code 7070 may cause questions and/or concerns for members of the community. The Department recognizes this and it is vital that such concerns are addressed and questions are answered.

The La Mesa Police Department is committed to full and fair investigations into citizen complaints. Existing procedures ensure that complaints are resolved in a fair, impartial, and expeditious manner to ensure the integrity and efficiency of the Department. The professional working relationship with the La Mesa Citizen's Police Oversight Board and the Independent Police Auditor further underscore the Department's commitment to transparency in resolving complaints, advancing and improving training, and ensuring public trust.

During the 2023 calendar, the La Mesa Police Department received zero (0) complaints/concerns regarding the use of any equipment.

Summary and Responses to Equipment Procedure Violations Per Government Code 7072(a)(3)

Methods for discovering any violations of the La Mesa Police Department's AB 481 Equipment Policy/Procedure include citizen complaints/reports, reports received via the Citizen's Police Oversight Board online reporting portal, the Department's online complaint portal, supervisory review of Body Worn Cameras, and direct observation by supervisory personnel and/or training staff.

No violations of the La Mesa Police Department's AB 481 Equipment policy/procedure were observed, discovered, or reported during 2023.

AB 481 Equipment Inventory and Costs Per Government Code 7072(a)(4) & 7072(a)(5)

The La Mesa Police Department's AB 481 Equipment Inventory is included in Appendix A in this report. The Inventory includes fiscal information including cost of each item, expected lifespan, and annual cost. Acquisition of AB 481 during the 2023 calendar year was limited to replacement of existing inventory; no new items were obtained in 2023.

Projected AB 481 Equipment Acquisitions FY 24/25 Per Government Code 7072(a)(6)

The La Mesa Police Department is requesting approval for the future purchase and use of the following AB 481 Equipment in FY 24/25. If approved by City Council, the items may be purchased during the current reporting period and will be included in the 2024 AB 481 Equipment Report.

SKYDIO X10 UNMANNED AIRCRAFT SYSTEM

The Department is requesting approval to purchase six (6) Skydio X10 UAS to replace the three (3) UAS currently in Department inventory.

Skydio X10 UAS

Description	Commercial grade Unmanned Aircraft System. Battery powered remote operated aircraft.
Quantity	6
Capability	Capable of providing live and recorded video images captured from aerial positions.
Life Span	5 years
Manufacture's Description	The Skydio X10 is the intelligent drone that provides powerful, timely information, with the best sensors on a small UAS, piloted by the most advanced AI in the sky. Harness dual-use innovation with drones that are small, smart, survivable, and ready to scale.
Purpose	To be deployed when its view would assist officers or incident commanders with tactical or other public safety and life preservation missions.
Authorized Use/ Training Required	Only authorized operators that have been fully trained and have acquired FAA certification are allowed to pilot this aircraft.
Costs	Unit Cost: \$25,467.40 (includes all support equipment and warranty) Maintenance Costs: \$6000 (battery and propeller replacement) Year Obtained: Request to purchase in 2024 How purchased: Federal Grant

The Department currently has three (3) aircraft, one of which is inoperable and cannot be repaired due to a software malfunction. Of the remaining two (2) aircraft, neither have thermal, zoom, or extended flight time (exceeding 20 minutes) capabilities. Those capabilities would allow us to operate the UAS at night for extended periods of time and enhance our public safety capabilities. In 2023, our UAS have supported incidents to include evidence collection, high-risk warrant services, tactical operations, special events, crimes in progress, and search and rescue operations. These new units would replace our existing UAS and better serve the needs of the community during public safety operations such as outdoor crime scene processing, tactical operations, special events, crimes in progress, and search and rescue operations. The Department will remain in compliance with all legal requirements in the State of California for UAS use by law enforcement and will continue to seek annual review and approval by the La Mesa City Council for its continued use.

PENN ARMS 40 MM SINGLE SHOT LAUNCHER

The Department is requesting approval to purchase eighteen (18) 40 mm launchers. These are a different model number than the launchers currently in Department inventory.

40mm Single Shot Launcher

Description	40 mm single shot launcher that is orange in color to differentiate this as a foam baton launcher for patrol officers, rather than a multiple munitions launcher as used by SRT
Quantity	18
Capability	The 40mm Projectile Launcher is a less-lethal system that uses smokeless powder to deliver 40mm projectiles from a safe distance. It is a single launcher, which allows the operator to re-assess the situation after every spent munition.
Life Span	15 years
Manufacture's Description	L140-4, single shot 40mm launcher with folding stock and fixed front grip
Purpose	Only trained La Mesa Police officers are allowed to use the 40mm single shot launcher. It is authorized for use only in situations where the use of force is authorized per Department policy, including but not limited to: subduing dangerous and/or combative individuals, protection from vicious animals, and training exercises.
Authorized Use/ Training Required	Only authorized officers that have been fully trained are allowed to use this launcher.
Costs	Unit Cost: \$2,055.55 per launcher. Total Cost: \$37,000.00 (includes all support equipment and warranty) Maintenance Costs: ongoing for munitions/ maintenance performed by staff Year Obtained: Request to purchase in 2024 How purchased: Department budget

The Department currently has six (6) 40mm launchers which may only be used by trained personnel on the Special Response Team (SRT). While those launchers may deploy a variety of munitions when utilized by SRT personnel, the addition of eighteen (18) launchers in a distinctive orange coating would allow patrol personnel to deploy the CTS 40mm foam baton rounds included in existing inventory. This less-than-lethal launcher would provide officers with an additional option in certain use of force situations in accordance with Department policy.