

2024 Annual Report



AB 481 - Military Equipment

Background

On September 30, 2021, Governor Gavin Newsom signed a series of eight (8) policing reform bills including Assembly Bill 481 (AB 481), which regulated the acquisition and use of military equipment by local law enforcement agencies.

On September 27, 2022, in accordance with AB 481, the Palo Alto City Council adopted Ordinance No. 5562, approving Palo Alto Police Department Policy 716: Military Equipment. The ordinance was renewed by the Council on November 13, 2023.

Summary

The Palo Alto Police Department (PAPD) had equipment in 5 of the 15 categories requiring reporting by AB 481 in 2023. The equipment has been used minimally, largely related to training and certification.

The City has not received any complaints, audits, or policy violations regarding the use or acquisition of the equipment. PAPD has diligently followed the established Department Policy (716), ensuring transparency and accountability in its operations. Plans for future equipment purchases meeting the reporting requirements of AB 481 are minimal and mostly focused on replacing or replenishing equipment used throughout the year. Planned purchases are anticipated to be made using the Department's general fund budget.

Introduction

As required by AB 481, City Ordinance 5562, and PAPD Policy 716, PAPD must prepare an annual report on the use of each type of military equipment approved in the Policy over the last year. Subsequently, the City Council must review the Ordinance, Policy, and AB 481 Annual Report and determine whether PAPD's use of the defined military equipment in the past year complied with the Policy and whether to renew the Ordinance.

AB 481 Categories

PAPD has equipment meeting 5 of the 15 categories set forth in AB 481 and PAPD Policy 716, in **bold**. PAPD utilized equipment, owned by other agencies, meeting 2 other categories*:

1. Unmanned, remotely piloted, powered aerial or ground vehicles*
2. Mine-resistant ambush-protected vehicles or armored personnel carriers*
3. High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached
4. Tracked armored vehicles that provide ballistic protection to their occupants
5. **Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units**
6. Weaponized aircraft, vessels, or vehicles of any kind
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature
8. Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns
9. Ammunition of .50 caliber or greater, excluding standard-issue shotgun ammunition
10. **Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code §30515, with the exception of standard-issue service weapons and ammunition of less than .50 caliber**
11. Any firearm or firearm accessory that is designed to launch explosive projectiles
12. **Noise-flash diversionary devices, explosive breaching tools or munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray**
13. **TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices**
14. **Kinetic energy weapons and munitions**
15. Any other equipment as determined by a governing body or a state agency to require additional oversight

Annual Reporting Requirements

AB 481 requires that police departments identify, at a minimum, six elements in their annual reports for each type of equipment:

1. Summary of how each type of equipment was used and the purpose of that use;
2. Quantity possessed of each type of equipment;
3. Annual costs for each type of equipment;
4. Summary of complaints or concerns received for each type of equipment;
5. Information disclosing violations of military equipment policies and actions taken in response, as well as the result of internal audits; and;
6. Plans to acquire additional military equipment in the coming year, and the quantity sought.

The table on the following pages provide this information in the categories of Quantity, Costs, Summary Use and Purpose, Complaints, Policy Violations, and Future Purchases.

The reporting period for this report is from July 1, 2023 thru June 30, 2024 (the end of Fiscal Year 2024).

Equipment Name	Qty	Reporting Period Costs	Summary of Use & Purpose	Complaints	Policy Violations	Planned Future Purchases
Category 5: Command and Control Vehicles						
MEOC	1	Approx. \$29,000 in maintenance and equipment costs	<p>The MEOC serves as a resource for public safety. It is deployed to “all hazards” ranging from natural disasters, wildfires, crime, special events, and planned and unplanned disruptions to 9-1-1 and Emergency Operations Center systems and facilities.</p> <p>The MEOC was deployed, operationally, 6 times in FY24:</p> <ul style="list-style-type: none"> - 07/23 Fire watch detail - 07/23 MSC Open House - 08/23 National Night Out - 09/23 Airport Day - 05/24 Dignitary Visit - 06/24 Torch Run 	None	None	Maintenance and equipment costs not expected to exceed \$30,000
Category 10: Specialized Firearms and Ammunition of less than .50 caliber						
Bolt Action Rifle	1	None	<p>This rifle is authorized for use by a specially-trained, SWAT marksman only and may be deployed in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed.</p> <p>Equipment was not deployed in 2023, other than for SWAT training purposes.</p>	None	None	Replacement ammunition as needed to support training and operational use, not expected to exceed \$2500

Equipment Name	Qty	Reporting Period Costs	Summary of Use & Purpose	Complaints	Policy Violations	Planned Future Purchases
Category 12: Noise Flash Diversionary Device and Chemical Munitions						
Mini-Bang (CTS-7290M)	38	\$578.28	<p>Capable of creating auditory/visual distractions to distract potentially dangerous individuals.</p> <p>In addition to training use, the CTS-7290M was used once in FY24:</p> <ul style="list-style-type: none"> - 12/24 apprehension of barricaded felony domestic violence suspect 		None	24 replacement units to support training and operational use (\$1500)
CS 37mm Liquid Ferret Barricade Round (CTS-3330)	32	\$890.56	<p>Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals.</p> <p>Equipment was not deployed in FY24, other than for SWAT training purposes.</p>	None	None	None
CS 37mm Liquid Ferret Barricade Round (DT-1162)	1	None	<p>Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals.</p> <p>Equipment was not deployed in FY24, other than for SWAT training purposes.</p>	None	None	None

Equipment Name	Qty	Reporting Period Costs	Summary of Use & Purpose	Complaints	Policy Violations	Planned Future Purchases
CS Flameless Tri-Chamber (DT-1032)	14	None	Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals. Retired.	None	None	<i>Retired</i>
CTS 5230b Baffled CS	12	\$708.30	Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals. Equipment was not deployed in FY24, other than for SWAT training purposes.	None	None	None
CS Triple Chaser Separating Canister (DT-1026)	25	None	Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals. Retired.	None	None	<i>Retired</i>
CTS 5230 Riot CS	15	\$515.85	Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals. Equipment was not deployed in FY24, other than for SWAT training purposes.	None	None	<i>None</i>

Equipment Name	Qty	Reporting Period Costs	Summary of Use & Purpose	Complaints	Policy Violations	Planned Future Purchases
CS Riot Control (DT-1082)	2	None	Capable of deploying tear gas or pepper chemical to distract potentially dangerous individuals. Retired.	None	None	<i>Retired</i>
Maximum HC (Hexachlor ethane) Smoke (DT-1073)	6	None	Capable of concealing tactical movement or to route a crowd via non-irritant smoke. Retired.	None	None	<i>Retired</i>
CTS 5210 White Smoke	5	\$166.85	Capable of concealing tactical movement or to route a crowd via non-irritant smoke. Equipment was not deployed in FY24, other than for SWAT training purposes.	None	None	None

Equipment Name	Qty	Reporting Period Costs	Summary of Use & Purpose	Complaints	Policy Violations	Planned Future Purchases
Category 13: Long-range Acoustic Devices						
Long Range Acoustic Device (LRAD)	1	None	<p>Primarily used to communicate, from a safe distance, with armed and/or barricaded subjects, for the purpose of negotiation. Can also be used in furtherance of search and rescue operations, and to communicate lawful dispersal orders.</p> <p>In addition to training use, the LRAD was used 3 times in FY24:</p> <ul style="list-style-type: none"> - 11/23 service of weapons related search warrant - 12/23 apprehension of barricaded felony domestic violence suspect - 2/24 service of robbery related search and arrest warrants 		None	None
Category 14: Kinetic Energy Weapons and Specialty Munitions						
37mm Less Lethal Launcher	30	None	<p>The 37mm Less Lethal Launcher and Kinetic Energy Munitions are intended as a less lethal use of force option.</p> <p>In addition to training use, the 37mm launcher was used once in FY24:</p> <ul style="list-style-type: none"> - 12/23 apprehension of barricaded felony domestic violence suspect 	None	None	None

Equipment Name	Qty	Reporting Period Costs	Summary of Use & Purpose	Complaints	Policy Violations	Planned Future Purchases
Category 1: Unmanned, remotely piloted, powered aerial vehicles						
Drone	1	None	<p>Drones are intended to permit safe observation of concealed suspects or other hazards, or the location of missing persons.</p> <p>Drones were used 3 times in FY24:</p> <ul style="list-style-type: none"> - 12/23 apprehension of barricaded felony domestic violence suspect (<i>San Mateo County Sheriff</i>) - 2/24 service of robbery related search and arrest warrants (<i>San Mateo County Sheriff</i>) - 4/24 apprehension of fleeing residential burglary suspects (<i>Atherton PD</i>) 	None	None	None
Category 2: Armored Personnel Carriers						
Lenco Bearcat	1	None	<p>Armored vehicles are intended to provide safe insertion of safety personnel and the safe rescue and extraction of civilians.</p> <p>Armored vehicles were used twice in FY24:</p> <ul style="list-style-type: none"> - 12/23 apprehension of barricaded felony domestic violence suspect (<i>Sunnyvale Department of Public Safety</i>) - 2/24 service of robbery related warrants (<i>Sunnyvale Department of Public Safety</i>) 	None	None	None