



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: May 15, 2024

To: Honorable Mayor and City Council Members

From: Charles A. Montoya, City Manager;
Darren Goodman, Chief of Police

Department: Police

Subject: **Annual Military Equipment Report and Approve
Future Purchases (All Wards)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Receive and file the Department's annual military equipment use report; and
2. Approve the Department's request to acquire additional life-saving equipment in accordance with Assembly Bill 481.

Executive Summary

Assembly Bill 481 requires all law enforcement agencies in the State of California to submit an Annual Report to their respective governing bodies, detailing the agency's use of "Military Equipment" as well as any new pieces of "Military Equipment" the agency anticipates acquiring. The Department intends to acquire additional unmanned aerial and ground vehicles, as well as an armored personnel carrier/rescue vehicle during this reporting period.

Background

AB 481 was enacted in January 2022, to increase transparency, accountability, and oversight surrounding the use and acquisition of military equipment by state and local law enforcement. It requires law enforcement agencies to obtain approval from the legislative bodies that oversee them before purchasing, raising funds for, or acquiring military equipment, by any means. Law enforcement agencies are also required to obtain approval by their legislative bodies before collaborating with another law enforcement agency in the deployment or use of military equipment within the law enforcement agency's jurisdiction, or before using any new or existing military

equipment not previously approved.

The first reading of Ordinance No. MC-1579 occurred on May 4, 2022. This Ordinance was created to adopt Police Department Policy 705 (Military Equipment Policy) in accordance with Assembly Bill 481. The Ordinance was adopted on May 18, 2022. A component of AB 481 requires law enforcement agencies submit annual reports to their legislative bodies regarding their use of the military equipment, any complaints received, any internal audits or other information about violations of the military equipment use policy, the cost, and other similar information.

Discussion

The attached annual report summarizes all military equipment use for the year, including the associated cost, reason for use, and inventory. The first page is an annual summary followed by a breakdown for each month of the year. In addition to the annual report, the Department is requesting approval to purchase additional drones, robots and an armored personnel carrier/rescue vehicle. Since this critical equipment has been identified as military equipment through Assembly Bill 481, the Department must seek approval before beginning the purchasing process.

Law enforcement incidents can be unpredictable and complex. To de-escalate tense and potentially violent situations, law enforcement officers may need to use special equipment, tools, or resources. These measures help to reduce the possibility of harm to community members, individuals involved in the incident, and the officers themselves, while also increasing the likelihood of a positive outcome. Some of the items that fall under the category of "military equipment" include unmanned aerial vehicles (drones), unmanned ground vehicles (robotics), armored personnel carriers, less lethal projectile launchers, and distraction devices. These tools have been tested in the field and are considered best practices for enhancing citizen safety, officer safety, and reducing the need for escalation of force. They are commonly utilized by law enforcement agencies throughout the United States.

The San Bernardino Police Department ("Department") has determined these tools are necessary to achieve the objectives of community safety and officer safety. The Department has not found any reasonable alternatives to these tools that can provide the same level of protection and effectiveness. Overall, the use of these tools is essential for the successful resolution of dangerous and volatile situations. By utilizing the latest technology and equipment available, law enforcement officers can reduce the risk of harm for all parties involved. The Department is committed to using equipment that safeguards the community and minimizes the risk of volatile situations escalating to lethal force encounters.

In the future, the Department intends to acquire the following additional military equipment:

- Additional Unmanned Aerial Vehicles (drones)
- Additional Unmanned Ground Vehicles (robotics)

- Armored Personnel Carrier/Rescue Vehicle

As drones and robotics continue to evolve, law enforcement agencies worldwide are using them in more ways to save lives, enhance the safety of officers, and assist in investigations. The Department has a current inventory of drones and robotics; however, with the ever-changing updates and new technology, they need software updates and replacement parts to remain functional. Due to the new technology, several drones will need to be replaced due to incompatible software/hardware, and the inability to obtain replacement parts that are no longer being manufactured.

Drones continue to have a major impact on traffic collision reconstruction, reconnaissance before tactical deployments, hostage and barricade situations, forensic investigations, patrol-deployed operations, tethered operations, and traffic pattern evaluation, to name a few. Not only can drones accurately capture crash scenes, but they can do so in far less time than traditional methods and create three-dimensional models that can be accessed later for review. They also provide significant cost savings by reducing investigative time. In addition, they reduce officer injuries by allowing the investigating officer to complete the investigation from a safe location, out of the roadway, reducing or eliminating the need for a secondary safety officer.

Patrol-deployed drones can be stored and transported in the trunk of police vehicles. Secondary officers can quickly deploy them at incident locations to provide situational awareness regarding the locations of subjects, weapons, and other related hazards. This patrol model can also provide support and enhanced safety during K9 operations. As technology evolves, as drones and robotics are becoming critical in almost every aspect of emergency operations. Drones enhance safety and provide improved operational effectiveness and real-time situational awareness. With today's law enforcement staffing challenges and dangerous assaults on police personnel, drones are essential to protecting our community and those who serve it.

Robotics offer several key benefits to law enforcement agencies. One of the primary advantages of using robots is the increased safety they provide. Robots can be deployed to perform tasks that are too dangerous or life-threatening for officers, such as clearing a room or location where a potentially armed individual is located, entering a building that may be rigged with explosive devices, or in locations where toxic chemicals are suspected.

Another key benefit is the improved efficiency of policing operations. Robots can be programmed to perform routine and repetitive tasks, freeing up an officer to focus on more complex tasks that require critical thinking and decision-making. Additionally, the use of robots in situations that may pose a risk to officers can help reduce liability for law enforcement agencies. By using robots in these situations, agencies can minimize

the risk of injury or fatalities to civilians and officers, potentially reducing the legal and financial liability associated with these incidents.

Armored Personnel Carriers/Rescue vehicles can be beneficial for police departments for several reasons:

1. **Enhanced Safety:** Armored personnel carriers/rescue vehicles provide a higher level of protection for officers during high-risk situations, such as dealing with armed suspects, hostage situations, or terrorist threats. They are designed to withstand gunfire and other types of attacks, helping to reduce casualties among law enforcement personnel.
2. **Effective Response:** These vehicles enable police to approach dangerous scenes more closely and securely, which can be crucial in resolving situations quickly and safely. This capability is especially important during active shooter incidents or when officers need to evacuate civilians from a danger zone.
3. **Tactical Advantage:** Armored personnel carriers/rescue vehicles can offer tactical advantages in terms of mobility and the ability to control larger areas. They can be used to establish perimeters, control crowds, and provide a mobile shield for officers as they perform their duties in potentially hazardous environments.
4. **Rescue Operations:** In addition to tactical law enforcement operations, these vehicles can be vital in rescue operations during natural disasters like floods and large-scale fires. Their robust build allows them to navigate through debris and flooded areas, rescuing stranded individuals and delivering emergency supplies.
5. **Deterrent Effect:** The mere presence of an armored vehicle can act as a deterrent to criminal activity. It signals a serious law enforcement response and can help to prevent escalation during volatile situations.
6. **Multi-purpose Use:** Many armored vehicles are equipped with additional features like communication equipment, which can be used in a variety of scenarios, from natural disaster response to large-scale public events, enhancing overall public safety infrastructure.

Overall, the benefits of using drones, robotics and armored personnel carriers/rescue vehicles in law enforcement include increased safety, improved efficiency, increased accuracy, cost savings, and reduced liability. These advantages are an extreme benefit to law enforcement agencies for improving operations and providing better protection for the community.

2021-2025 Strategic Targets and Goals

The annual reporting of department military equipment use aligns with Key Target No.

3: Improved Quality of Life; constantly evaluate public safety service delivery models to enhance the quality of service.

Fiscal Impact

There is no new fiscal impact associated with the approval of this equipment. Any future equipment will be purchased in compliance with City purchasing rules and there are sufficient funds in the Department's budget for the purchase.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Receive and file the Department's annual military equipment use report; and
2. Approve the Department's request to acquire additional life-saving equipment in accordance with Assembly Bill 481.

Attachments

Attachment 1 Annual Military Equipment Report

Ward:

All Wards

Synopsis of Previous Council Actions:

May 4, 2022 First reading of Ordinance No. MC-1579 adopting Police Department Policy 705 (Military Equipment Policy) in accordance with Assembly Bill 481 was presented to, and introduced by, the Mayor and City Council.

May 18, 2022 The Mayor and City Council adopted Ordinance No. MC1579 approving Police Department Policy 705 (Military Equipment Policy) in accordance with Assembly Bill 481

May 3, 2023 The Mayor and City Council approved of the Police Department's Annual Military Equipment Report and Approved Future Purchases