



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: David Honda, Chief of Police
SUBJECT: Annual Military Equipment and Use Update Report
DATE: November 5, 2024

BACKGROUND/DISCUSSION:

On September 30, 2021, California Assembly Bill 481 (AB 481) known as the *Law Enforcement and state agencies: military equipment, funding, acquisition, and use Act* was signed into law. Subsequently, the California Government Code (GC) §§ 7070, 7071, and 7072 were adopted to codify the requirements set forth in AB 481.

The law required each police agency to draft a policy, obtain approval from the Council by ordinance, and once approved have the policy accessible to the public through the Department website. The policy (SCPD 706) and ordinance (SC 23-03) were adopted by the Council on December 2, 2023. The policy and equipment list are posted on our department website as required by law. ([Transparency | Sand City, CA](#))

The law also requires each law enforcement agency to submit an annual “Equipment and Use Report” within one year of the ordinance adoption, and annually thereafter. The report should include a summary of how the equipment was used and purpose; a summary of complaints or concerns received; any information about violations of equipment uses and actions taken in response; annual ongoing costs; changes in quantity of equipment; if the agency intends to purchase or acquire additional equipment in the upcoming year.

Monterey Peninsula Regional Special Response Unit (MPR SRU or SRU for short)

The Sand City Police Department (SCPD) participates in the Monterey Peninsula Regional Special Response Unit (SRU). The SRU is a specialized team that operates under an MOU between the eight Monterey Peninsula agencies. Each agency provides officers, command staff, and resources to provide a tactical team to address the ongoing needs of the Peninsula as well as assisting other jurisdictions in the region. The

The SRU provides a resource to respond to critical incidents, planned and unplanned high-risk events, and other specialized incidents as needed. The SRU utilizes various

pieces of equipment that qualifies as Military Equipment as defined in AB 481. As part of its responsibility to the SRU, each participating city has acquired or maintains equipment for use by members of the SRU. The listed equipment requires a government agency to purchase and since the SRU is a team of officers from each participating agency, not a government agency, each participating agency shares in purchasing the various equipment the SRU utilizes.

This report only includes items the SCPD ordered on behalf of the SRU and items purchased specific to SCPD patrol duties. Equipment ordered for the SRU by other participating agencies can be found in their individual agency reports. All SRU equipment is paid for by the SRU and not by the purchasing agency.

Summary of usage and purpose

The SCPD did not deploy any military equipment this year during daily patrol duties.

The SRU was deployed for the listed events:

- December 2, 2023, SRU assisted the Pacific Grove Police Department with the execution of a high-risk search warrant at two residences in the City of Seaside related to an attempted murder investigation. Two suspects were taken into custody without incident.
- April 18, 2024, SRU assisted Monterey County Sheriff's Office execute a high-risk search warrant related to the two shootings that resulted in the murder of six victims in King City and surrounding areas. The warrant was executed without incident. Multiple firearms suspected to be utilized in the murders were recovered.
- May 2, 2024, SRU assisted the Salinas Police Department serving thirteen search warrants and eleven federal indictments related to a year-long investigation of criminal gangs. The warrants were executed without incident.
- July 3, 2024, SRU assisted the Monterey and Seaside PD execute a high-risk arrest warrant for an individual who had warrant for felony assault weapons charges. The subject was located hiding under the floor but was arrested without additional incident.
- August 10, 2024, SRU assisted the Monterey PD execute a search warrant for an attempted murder suspect related to a shooting on Wharf #1. The suspect had multiple firearms registered in his name. The subject did not respond to requests to surrender and family members refused to cooperate. A drone was deployed inside the residence but did not locate anyone; however, witnesses stated the suspect was still inside. To avoid a potential violent encounter, liquid CS cannisters (aka "tear gas") were introduced and a physical search of the home ensued. The suspect was eventually apprehended later without further incident.

Summary of complaints or concerns

The City did not receive any complaints or concerns from community members related to the use of military equipment.

Violations and actions taken

There were no violations of equipment use observed or reported.

Annual ongoing costs

Annual membership to participate in the SRU is \$5,000.00. All training and equipment purchased by the SRU are approved by a Board of Directors and are funded by either by the membership fees or grants through the Federal Emergency Management Agency's (FEMA) Bay Area Urban Areas Security Initiative (UASI) or the State Homeland Security Grant Program (SHSGP) both managed through the Monterey County Department of Emergency Management (DEM).

Ammunition for training and qualifications for the less lethal patrol shotguns is approximately \$650.00 per year for ten officers, there were no purchases made this calendar year; however, we do anticipate needing to purchase less lethal "bean bag" ammunition for training and annual qualifications during this fiscal year.

An order was placed in December 2023 to replace 140 Flash-Bang device inserts that were utilized during SRU training and to maintain the inventory for critical incidents such as a hostage situation. The cost was \$2,700.00 paid for by the SRU not the City.

Equipment maintenance and replacement part purchases are not anticipated for this calendar year nor the remainder of the FY 24/25.

Changes in quantity of equipment

The SCPD has not acquired any new equipment for agency use or the SRU.

Anticipated acquisition of equipment for the upcoming calendar year

The SCPD does not anticipate purchasing or acquiring any new equipment in the next calendar year.

CEQA:

This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.

FISCAL IMPACT:

Other than the anticipated purchase of less lethal ammunition of approximately \$650.00, there are no new financial considerations for the City for existing military equipment since the items were purchased prior to the enactment of AB 481 or already funded by the SRU. The fund expenditures are anticipated in each annual department budget and approved by the Council.

RECOMMENDATION:

1. For report only.

ATTACHMENTS:

1. Ordinance, SC 2303
2. Policy, SCPD Policy 706
3. Policy, SCPD Policy 706, SCPD Equip Owned Oper.pdf