



**BRENTWOOD POLICE
DEPARTMENT
ANNUAL MILITARY
EQUIPMENT REPORT
FOR 2022**

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INTRODUCTION

On September 30, 2021, the Governor of the State of California approved Assembly Bill 481 (codified as Chapter 12.8 of the California Government Code) requiring law enforcement agencies such as the Brentwood Police Department to have a military use policy approved by the City Council prior to requesting, seeking funding, acquiring or using military equipment. Assembly Bill 481 allows the governing body to approve the policy within its jurisdiction only if it determines that the military equipment meets Specified standards.

On May 10, 2022, the City of Brentwood City Council approved Ordinance 2022-1037 approving Brentwood Police Department Policy #708: Military Equipment Funding, Acquisition, and Use. As required by Assembly Bill 481 and the Ordinance, annually the Brentwood Police Department must prepare a report on the use of each type of military equipment approved in the Policy over the last year. Subsequently, the City Council must then review the Ordinance, Policy and Annual Report, and determine whether the Department's use of military equipment in the past year complied with the Policy, and whether to continue the Ordinance and Policy, take action (by ordinance) to modify the Policy or repeal the Ordinance.

As set forth in the Policy, the Brentwood Police Department retains and employs limited military equipment to safeguard its community. BPD officers, certified instructional staff, and specialized units receive training throughout the year on the use of military equipment approved under the Policy.

This Annual Report outlines the Brentwood Police Department's military equipment inventory and usage, community complaints over use of military equipment, and internal audits from January 1, 2022 through December 31, 2022. The Department will submit its Military Equipment Annual Report to City Council after December 31st of every year in compliance with AB 481.



DEFINITIONS

Definitions of Military Equipment established by California Government Code §7070:

(BPD utilizes a limited number of the resources listed below)

Military equipment includes but is not limited to the following types of equipment:

- Unmanned, remotely piloted, powered aerial or ground vehicles
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
- 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
- Tracked armored vehicles that provide ballistic protection to their occupants
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
- Weaponized aircraft, vessels, or vehicles or any kind
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition
- 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 firearms
- Any firearm or firearm accessory that is designed to launch explosive projectiles
- Noise-flash diversionary devices and explosive breaching tools
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray
- Taser Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs)
- Kinetic energy weapons and munitions (e.g. 40MM launcher, bean bag shotgun, foam tipped projectiles)
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

BPD Military Equipment

Unmanned Aerial Vehicles

Description, quantity, capabilities, and purchase cost:

The unmanned Aerial Vehicle (UAV) is a battery powered, remote operated device. Flight time of approximately 30-45 minutes per battery, depending on weather and flight conditions. The UAV has also proven to be useful to public safety agencies in firefighting, search and rescue, pre-operational surveillance, and other tactical situations where aerial views enhance the safety and efficiency of law enforcement and fire personnel.

- DJI Mavic II Enterprise UAV, cost \$8,796, quantity: 4
- DJI Mavic 2 Zoom UAV, cost \$1,777, quantity: 1
- DJI Mavic Mini 2 UAV, cost \$1,200, quantity 2
- DJI Mavic 3 Thermal Enterprise UAV, cost \$33,000, quantity: 6
- DJI Mavic Matrice 30T Enterprise UAV, cost \$14,000, quantity: 1
- Aardvark Tactical LOKI UAV, cost \$4,000, quantity: 2

Purpose:

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

- Major collision investigations
- Emergency Life Threatening Situations
- Search for missing persons
- Natural disaster management
- Crime scene photography
- SWAT, tactical or other public safety and life preservation missions.
- In response to specific requests from local, state or federal fire authorities for fire response and/or prevention.

Authorized Use:

Only assigned operators who have completed the required training shall be permitted to operate Brentwood Police Department's UAV's approved missions.

Expected Life Span:

- DJI Mavic 3 Thermal Enterprise UAV – Life span 5 years
- DJI Mavic Matrice 30T Enterprise UAV – Life span 5 years
- Aardvark Tactical LOKI UAV – Life span 5 years

The below listed Drones will be removed from the service this year due to FAA regulations making them inoperable.

- DJI Mavic II Enterprise UAV – Life span ending this year
- DJI Mavic 2 Zoom UAV – Life span ending this year
- DJI Mavic Mini 2 UAV – Life span ending this year

Fiscal Impact:

Annual maintenance cost of approximately \$0-\$1,500.

Training:

All Department UAV operators are licensed by the Federal Aviation Administration for UAV operation. UAV operators train monthly in the use of the UAV's.

Legal and Procedural Rules:

Use is established under the FAA Regulation 14 CFR Part 107 and the Brentwood Police Department UAV policy (BPD policy #613 and #708). It is the policy of BPD to utilize UAV only for official law enforcement purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

Command and Control Vehicles

Description, quantity, capabilities, and purchase cost:

2023 Armored Rescue Vehicle (ARV), the Medivac G2, from Lenco Rescue Vehicle ordered in September 2022, with delivery expected in September 2023.

Specialized Firearms and Ammunition

Description, quantity, capabilities, and purchase cost:

Guns that are fired from shoulder level that have a greater accuracy over a long distance.

- Colt A1/A2 Rifles converted to fire less-lethal for training use, cost \$4,000, quantity: 8
- Colt A-2 Semi-Automatic Rifle for Patrol use, cost \$25,200, quantity: 30
- Colt M4 Semi-Automatic Rifle for Patrol use, cost \$26,400, quantity: 20
- LWRC Semi-Automatic Rifle for SWAT use, cost \$10,000, quantity: 4
- Colt M4 Commando Automatic Rifle for SWAT use, cost \$21,000, quantity: 15
- LMT MARS-LA Automatic Rifle for SWAT use, cost \$8,000, quantity: 4
- Accuracy International AE MKII Bolt-Action Rifle, cost \$10,000, quantity: 2
- H&K MP5 (40 caliber) Semi/Full Automatic for SWAT use, cost \$2,000, quantity: 1
- H&K MP5 (9mm) Semi/Full automatic for SWAT use, cost \$2,000, quantity: 1
- Defense Technologies 40 mm Single Round Launcher, cost \$1,800, quantity:2
- Defense Technologies 40 mm Four Round Launcher, cost \$1,800, quantity:2
- Defense Technologies 40 mm Six Round Launcher, cost \$1,800, quantity:5
- Winchester 5.56x45mm 55 grain FMJ ammunition, cost \$32,852, quantity 55,000 rounds.
- Winchester 223 Remington 64 grain power point ammunition, cost \$2,740, quantity: 5,400 rounds.
- Federal .308 Winchester 168 grain Gold Medal Sierra Match King, cost \$489, quantity: 140 rounds
- Defense Technology Shotgun Breaching Rounds, cost \$12, quantity: 14
- Kinetic Energy Munitions 40mm, cost \$1,000, quantity: 24

Purpose:

To be used as more precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

Authorized Use:

Only members that are POST certified are authorized to use a rifle, bean bag shotgun, breaching shotgun, and 40MM launcher.

Expected Life Span:

Colt A1/A2 rifle – 15 years

Colt A-2 rifle – 15 years

Colt M4 rifle – 15 years

LWRC rifle – 15 years

Colt M4 Commando rifle – 15 years

LMT MARS-LA rifle – 15 years

Accuracy International AE MKII rifle – 15 years

H&K MP5 (40 caliber) – 15 years

H&K MP5 (9mm) – 15 years

Defense Technology 40MM launcher – 15 + years

Winchester 5.56x45mm 55 grain FMJ ammunition- No expiration

Winchester 223 Remington 64 grain power point ammunition – No expiration

Federal .308 Winchester 168 grain Gold Medal Sierra Match King – No expiration

Defense Technology Shotgun Breaching Rounds – No expiration

Kinetic Energy Munitions 40mm – No expiration

Fiscal Impact:

Annual maintenance is approximately \$50 for each rifle.

Training:

Prior to the use of the specialized firearms listed within this section, all officers must be certified by POST instructors in the maintenance and operation of such firearms.

Legal and Procedural Rules:

Use is established under BPD policies #300, #308, #312, and #708. It is the policy of this Department to utilize specialized firearms only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

Flashbangs Diversionary Device

Description, quantity, capabilities, and purchase cost:

A Noise Flash Diversionary Devices (NFDD) is a device that creates a bright flash and loud sound to temporarily divert the attention of subjects in the immediate area. NFDD are used to distract and temporarily incapacitate dangerous subjects by overwhelming their senses of vision and hearing. The distraction allows officers to seize a moment of opportunity to take control of the high-risk situations.

- Defense Technology 40 mm Signaling Flare 50m, cost \$50 per, quantity: 140
- Royal Arms 12 gauge Flash Bang Rounds, cost \$5 per, quantity: 6
- Defense Technology, Low Roll Distraction Device (body), cost \$79 per, quantity: 15
- Defense Technology, 12 gram reload, cost \$41 per, quantity: 22
- Defense Technology, 4 gram reload, cost \$184 per, quantity: 1

Purpose:

To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6-8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

Authorized Use:

Diversionary Devices shall only be used:

By SWAT team members who have been trained in their proper use.

In hostage and barricaded subject situations.

In high risk warrant (search/arrest) services where there may be extreme hazards to officers.

During other high-risk situations where their use would enhance officer safety.

During training exercises.

Expected Life Span:

5 years

Fiscal Impact:

No maintenance costs associated with the storage of this device.

Training:

Prior to use, officers must attend diversionary device training that is conducted by POST certified instructors.

Legal and Procedural Rules:

Use is established under BPD policy #415 and #708. It is the policy of this Department to utilize diversionary devices only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

Tear Gas

Description, quantity, capabilities, and purchase cost:

Chemical agent munitions, which are commonly referred to as “tear gas,” are used by the Brentwood Police Department as a non-lethal tool to disburse rioting subjects and/or barricaded subjects. CS (2-Chlorobenzylidenemalonitrile) and OC (Oleoresin Capsicum) are commonly used by law enforcement agencies across the United States.

CS is an irritating agent and lachrymator (irritates the eyes and causes tears to flow). CS has been medically tested in the UK and US, Specifically by the U.S. Army. There are no known allergic reactions to CS. OC was de-regulated in California in 1996, is endorsed by the FBI, and is available to civilians to legally possess (2.5oz or less). OC is an inflammatory agent which causes involuntary closure of eyes (open 2-5 minutes) and respiratory inflammation (subsides in approximately 2 minutes).

- Defense Technology 40MM Signaling Flare 50m with CS Payload, cost \$50 per, quantity: 50
- Defense Technology Stinger CS Riot Control Grenade, cost \$48.75 per, quantity: 29
- Defense Technology Aardvark Pocket Tactical Grenade, cost \$630, quantity: 20
- Defense Technology Aardvark Aerosol OC/CS Grenade, cost \$216, quantity: 6

Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

Self-destructive, dangerous and/or combative individuals.
Riot/crowd control and civil unrest incidents.
Circumstances where a tactical advantage can be obtained.
Potentially vicious animals.
Training exercises or approved demonstrations.

Authorized Use:

Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Expected Life Span:

Defense Technology Aardvark 40MM CS Ferret- 5 years.
Defense Technology Aardvark Pocket Tactical Grenade- 5 years.
Defense Technology Aardvark Aerosol OC/CS Grenade- 5 years.
Defense Technology Aardvark CS/OC Riot Control Grenade- 5 years.

Fiscal Impact:

No maintenance costs associated with the storage of these devices.

Training:

Officers utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

Legal and Procedural Rules:

Use is established under BPD policy #308 and #708. It is the policy of this Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

Equipment Purchase and Training Use

2022 Purchases

Military Equipment	Quantity	Cost	Date of Purchase
Winchester .223 5.56x45MM 55GR FMJ Ammunition	62,000 Rounds	\$25,854	05/01/2022

2022 Training/ Military Equipment Utilized

Training	Military Equipment	Quantity	Date
SWAT Operator Certification School- 3 Officers	Colt AR-15/M4 .223/5.56 Ammo NFDD's	6,000 Rounds 6 Devices	2/7/2022-2/18/2022
SWAT Training - Yearly	Colt AR-15/M4 LMT/Colt Rifle .223 Ammo	23,800 Rounds	3/3/2022 10/27/2022 12/05/2022
Officer Training	Colt AR-15/M4 LMT Rifle .223/5.56 Ammo	21,560 Rounds	Dept. Training 2022
SWAT Training	Defense Technology Signaling Flare 50m CS Payload	7 Rounds	6/22/2022
SWAT/Department Training	Defense Technology 40mm Direct Impact CS Rounds	56 Rounds	6/22/2022 8/17/2022

SWAT Training	Defense Technology Spede Heat Burning CS Gas munitions	2 Rounds	6/22/2022
SWAT Training	Defense Technology Stinger CS Rubber Ball Grenade	1 Round	6/22/2022
Drone Training/Missions	DJI Mavic	128 Missions	Quartly 2022

Community Concerns and Complaints

In some instances, the possession and use of military equipment may cause questions and/or concerns for members of the community. It is vitally important that community members' questions and/or complaints regarding Brentwood Police Department's possession and use of military equipment are addressed.

The Brentwood Police Department is committed to full and fair investigations of community complaints. As such, the Department has sound internal procedures for thorough and impartial investigations of community complaints. Resolving complaints in a fair, impartial, and expeditious manner will ensure the consistent high level of integrity and efficiency maintained by the Department.

In March of 2022, the Brentwood Police Department published its Military Equipment Funding, Use and Acquisition policy on its website. Community concerns and complaints can be received via the Department's website, in-person at the police department or in the field during police contacts, telephone, emails and social media.

2022 Community Concerns, Complaints & PD Internal Investigations Related to Military Equipment Use

Community Concerns	Community Complaints	PD Internal Investigations
0	0	0

Internal Inventory & Audit (BPD Military Equipment)

Per Brentwood Police Department policy 708.3 (c), the Department’s military equipment coordinator, designated as the Operations Division Captain, is required to complete an internal inventory of all military equipment within the possession of the Department at least once annually.

An audit of the inventory and use of military equipment was completed on April 25, 2023 by the Operations Division Captain and staff. This audit focused on the use of military equipment during critical incidents involving Department personnel. The audit confirmed that Department personnel were found to be in compliance with Policy #708 in the use of military equipment. The Department did not add any new military equipment to its inventory since that time. All current military equipment inventory was found to be in good shape and working order.

2022 Critical Incident/ Military Equipment Utilized

Case #	Date	Equipment Used	Reason
2201146	03/30/2022	40mm Launcher 2 Marking Rounds Mavick Drone LOKI Drone 1 NFDD Breaching Shotgun 2 rounds	Search Warrant
2202529 (2 locations)	06/01/2022	40mm Launcher 2 Marking Rounds Mavick Drone LOKI Drone	Search Warrant
2203767 (2 locations)	08/24/2022	Mavick Drone LOKI Drone	Search warrant/ Ramey Warrant

Projected Military Equipment Acquisition (2023)

For 2023 (January- December), the Brentwood Police Department projects the purchase of ammunition and flashbang diversionary devices to replenish inventory due to training and critical incident use. The estimated purchase price of this equipment is approximately \$35,000.00. The operating costs of this equipment, which includes acquisition, personnel time, training facilities, transportation/storage of equipment, equipment upgrades and other ongoing costs is budgeted within the Department’s approved operating budget for FY2022-2023 and FY2023-2024.

Military Equipment	Projected Amount	Purchase	Projected Purchase Price
.308 Match Grade Boat tail Hollow Point (BTHP)	1000 Rounds		\$1,500
Winchester .223 5.56x45MM 55GR FMJ Ammunition	50,000 Rounds		\$25,000.00
Defense Technology, Flashbang Diversionary Device, Low Roll 12g	12 Devices		\$1,000.00
Defense Technology, Flashbang Diversionary Device, Aluminum Body 9-bang	24 Devices		\$4,392
Defense Technology, Flashbang Diversionary Device, 4 gram reload	30 Devices		\$1,230

Conclusion

This Annual Military Equipment Report reaffirms the Brentwood Police Department's commitment to providing transparency and information to our communities and elected officials in addition to ensuring compliance with California State law. The equipment, resources, and training outlined in this report allow Brentwood Police Officers to better serve and protect Brentwood, enhance the safety of officers and community and bring critical incidents to a safe resolution.

