

# INDIO

police department



## Military Equipment

### 2022 Annual Use Report



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## MISSION

Our mission, in partnership with the community, is to safeguard and improve the quality of life in Indio by using traditional and non-traditional policing methods that promote trust, support and confidence in the Indio Police Department.

## VISION

Our vision is to be the premier community-oriented municipal law enforcement organization in the nation.

## VALUES

Integrity › Professionalism › Service › Respect

## MOTTO

*Our Community...Our Commitment*

## *Executive Summary*

On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481, requiring law enforcement agencies to obtain approval from the applicable governing body (Mayor and City Council), by adoption of a military equipment use policy. The Indio Police Department is required to seek City Council approval of their Military Equipment Use Policy at a regular open meeting prior to taking certain actions relating to the funding, acquisition, and use of military equipment.

It is important to note that “military equipment” is now a defined term under state law and it does not necessarily mean that IPD acquired or purchased its equipment from the military. Nor does it mean that the equipment we have is of the type used by the military. None of the equipment listed in the inventory was obtained from the military but rather was purchased from law enforcement vendors. For example, military equipment as defined by state law includes IPD foundational equipment such as patrol rifles, and some of our less lethal tools. Rifles, for example, allow peace officers to address lethal threats from a greater distance and with greater precision.

Other items that are now considered “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal 40mm projectile launchers, and flashbangs. This equipment, now deemed to be “military equipment” by AB 481, is used as a component of overall best practices for law enforcement agencies throughout the country, including IPD, in order to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter. These tools have been tested in the field, and are used to enhance citizen safety and officer safety. The loss of these items would jeopardize the welfare of citizens and peace officers within the City of Indio.

Assembly Bill 481 requires the governing body to approve the funding, acquisition, and use of military equipment within its jurisdiction, only if it determines that the military equipment meets specified standards. The Military Equipment Use Policy is subject to City Council review to determine whether the standards set forth in Assembly Bill 481 have been met, based upon an Annual Military Equipment Use Report.



## ***Executive Summary***

Finally, Assembly Bill 481 requires publication of the Military Equipment Use Policy and the Annual Military Equipment Use Report on the Department's website.

Assembly Bill 481

California Government Code Section 7072 states the following:

(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.

In addition to maintaining the highest levels of public safety, the Indio Police Department is committed to transparency, public trust, community partnerships, and compliance with the law. As such, the Department has authored the following Annual Military Equipment Use Report in accordance with annual reporting requirements set forth in California Government Code section 7072.

# ***Introduction***

The Indio Police Department and Desert Regional SWAT Team possess and employ a wide variety of equipment to assist in safely achieving the furtherance of its mission. While the inventory of military equipment varies, the mere possession of the equipment does not warrant its use for every incident.

The Indio Police Department recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of equipment options can greatly assist incident commanders, officers, and specific units in bringing those incidents to a swift resolution, in a safe manner. The use of military equipment is restricted to certain instances and in some cases only by certain units. The use of the Department's military equipment is continuously evaluated and the use of such equipment by department personnel is influenced by the totality of the circumstances, public safety, officer safety, civil rights, State law, and information available at the time of use.

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

This Annual Military Equipment Use Report outlines a summary of the military equipment usage guidelines, inventory, fiscal impact, complaints, and reported concerns for calendar year 2022.

# *Summary of Military Equipment Usage*

## **Outreach and Community Engagement**

The Indio Police Department is committed to improving the trust and confidence between the Department and the community it serves. As the Department strives to enhance community relationships and continues to be a progressive leader amongst law enforcement agencies nationwide, we want to ensure the public has access to the way its Police Department operates and engages with the public. The Indio Police Department regularly utilizes select military equipment, including Armored Vehicles, Mobile Incident Command Post, Robots, and Shields, during outreach and community events, as a means of public awareness, transparency and education. Military equipment may also be displayed during community events as a means of providing a safe environment for the public to enjoy all of the great festivals, events, and amenities the City of Indio has to offer.

# ***Military Equipment Usage***

## **Robots**

Robots were operationally deployed a total of seven (7) times from January 1, 2022, through December 31, 2022. One (1) of these incidents was in the City of Indio.

### Authorized usages:

- Support of SWAT and Patrol during high risk, tactical, or other public safety life preservation missions to include:
- Opening doors to clear buildings for public safety and life preservation missions.
- Provide interior visual assessments of structures or outdoor areas to gain intelligence prior to officers entering a dwelling or contacting a potentially armed, or resistive subject that may be hiding.
- Delivery of items (i.e., CNT phone) during critical incidents to engage in de-escalation and/or crisis-intervention techniques in an attempt to resolve incidents peacefully.
- Community events for engagements and developing public trust.

### Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

### Annual Cost:

- Annual maintenance and battery replacement cost is approximately \$600. (Battery replaced at 3-4 years.)

### Inventory:

- One (1) ICOR Technology Mini-Caliber Robot



# ***Military Equipment Usage***

## **Armored Vehicles**

The Bear and the BearCat were operationally deployed a total of thirty-one (31) times from January 1, 2022, through December 31, 2022. Ten (10) of these incidents were in the City of Indio. Nine (9) of these incidents were the deployments of the armored vehicles to the Coachella / Stagecoach Concerts as an Emergency Response Vehicle.

### Authorized usages:

- Support of SWAT and Patrol during critical incidents by providing a greater safety to community members and officers beyond the protection level of a shield and/or personal body armor.
- Community events for engagement and developing public trust.

### Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

### Annual Cost:

- Annual maintenance is paid for by Palm Springs Police Department.

### Inventory:

- One (1) Lenco BEAR
- One (1) Lenco BEARCAT

# ***Military Equipment Usage***

## **Mobile Incident Command Vehicle and Crisis Negotiation Team Vehicle**

The Mobile Incident Command Vehicles were operationally deployed a total of one (1) time from January 1, 2022, through December 31, 2022. Zero (0) of these incidents were in the City of Indio.

### Authorized usages:

- Utilized as a command post for critical incidents during complex events.
- Natural disaster (i.e., mutual aid for large scale fires or flooding).
- Other large scale events (i.e., concerts, festivals, etc.) in preparation of a critical incident.

### Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

### Annual Cost:

- Annual maintenance and battery replacement cost is between \$500 - \$1,000.

### Inventory:

- One (1) 1997 Fleetwood RV

# ***Military Equipment Usage***

## **Vehicles with Breaching or Entry Apparatus**

The Lenco Bear breaching or entry apparatus was operationally deployed a total of zero (0) times from January 1, 2022, through December 31, 2022.

Authorized usages:

- Support of SWAT and Patrol during critical incidents by providing a greater safety to community members and officers beyond the protection level of a shield and/or personal body armor.
- The attachable boom can be used for breaching structures or ramming objects, and has the ability to deploy gas.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy form January 1, 2022, through December 31, 2022.

Annual Cost:

- Annual maintenance is paid for by Palm Springs Police Department.

Inventory:

- One (1) Lenco BEAR with breaching / gas deployment apparatus.

# ***Military Equipment Usage***

## **Assault Weapons Defined Under PC 30510 & PC 30515 and Munitions**

Assault Weapons were utilized a total of zero (0) times from January 1, 2022, through December 31, 2022.

Authorized usages:

- In accordance with California Penal Code Section 835a and IPD Policy 300 (Use of Force).

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

Annual Cost:

- In 2022, IPD purchased one (1) Accuracy International .308 precision bolt rifle, which had a total cost of \$8,840.50.
- All rifles in our inventory have a life span between 10 - 15 years.
- Annual maintenance is between \$0 - \$50.00 per rifle.
- In 2022, IPD purchased a total of \$51,269.36 for ammunition in calibers of .40 S&W, 5.56/.223, .308, 9mm, and 12-gauge. The ammunition was used for California POST mandated training, department qualifications, advanced officer training, SWAT training, duty ammunition, and officer allotment per Memorandum of Understanding (MOU). This was paid for by existing police budget.

Inventory:

- Fifty-three (53) American Defense Manufacturing AR-15, 5.56 Caliber Rifles.
- Twelve (12) Colt M-4, .223 Caliber Rifles.
- Eleven (11) Bushmaster M-4, .223 Caliber Rifles.
- One (1) LWRC International MK-12, 5.56 Caliber Rifle.
- Two (2) Remington 700 .308 Bolt Rifles.
- One (1) Accuracy International .308 Precision Bolt Rifle.
- Thirty-eight thousand (38,000) Winchester .223 55-grain rounds (Range Ammunition)
- Two-thousand (2,000) Black Hills 5.56 77-grain rounds (Designated Marksman)
- One thousand (1,000) Hornady 5.56 53-grain rounds (Patrol Duty Ammunition)
- Five hundred (500) Hornady SBR 5.56 75-grain rounds (SWAT Duty Ammunition)
- Sixty (60) Hornady .308 Winchester 180-grain Nosler Accubond rounds (Sniper Cadre)

# ***Military Equipment Usage***

## **Explosive Breaching Tools**

Explosive breaching tools were operationally deployed a total of zero (0) times from January 1, 2022, through December 31, 2022.

### Authorized usages:

- Explosive breaching tools are used to breach fortified structures to establish a point of entry.
- To reduce the time in mitigating a hardened structure increasing officer safety and the element of surprise.
- To facilitate expedient access to hostages in peril.

### Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

### Annual Cost:

- There were no new purchases of explosive breaching tools in 2022. There is no additional maintenance cost for this equipment, however after 5 years, the rounds need to be replaced.
- There were no additional training costs in 2022.

### Inventory:

- Two (2) Royal Arms Remington 870 Shotguns.
- Sixteen (16) Royal Arms Tesar-2 Black Cap Copper Frangible Breaching Rounds.
- Five (5) Royal Arms TЕСR-3 Green Cap Clayvon Frangible Breaching Rounds.
- Five (5) Royal Arms FB-82H 12-Gauge Flash Bang Hard Breaching Rounds.

# ***Military Equipment Usage***

## **Noise Flash Diversionary Devices**

NFDD's were operationally deployed a total of one (1) time from January 1, 2022, through December 31, 2022. Zero (0) of these incidents were in the City of Indio.

### Authorized usages:

- Support SWAT during call outs and high-risk warrant services.
- To minimize risk to all parties through the temporary distraction or disorientation of armed and violent suspects.
- The effects of the NFDD reduce a suspect's reactionary capabilities and allow for momentary disorientation which creates a tactical advantage.

### Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

### Annual Cost:

- In 2022, IPD purchased thirty-six (36) CTS flash-bangs, which had a total cost of \$1,999.98.
- This purchase was to replace an older version of NFDD's, which after several years of not being used were found to not be functioning properly. The purchase was also to equip new SWAT operators with NFDD's, and to replace the NFDD's they used during SWAT school / NFDD certification.
- NFDD's have a life span of 5 years.
- IPD sent one (1) officer to the NFDD Instructor Course in December 2022, which had a cost of \$442.00 for registration. This was paid for by the yearly training budget.
- There is no annual maintenance cost for NFDD's.

### Inventory:

- Thirty-nine (39) Combined Tactical Systems, Mini Flash-Bangs.
- One (1) Combined Tactical Systems, 3-bang Flash-Bang.
- One (1) Combined Tactical Systems, 6-bang Flash-Bang.
- One (1) Combined Tactical Systems, 9-bang Flash-Bang.



# ***Military Equipment Usage***

## **Chemical Agents and Smoke Canisters**

Chemical agents and smoke canisters were operationally deployed a total of one (1) time from January 1, 2022, through December 31, 2022. Zero (0) of these incidents were in the City of Indio.

Authorized usages:

- Safely address an individual who displays self-destructive, dangerous, or combative behavior.
- Circumstances to gain a tactical advantage during critical incidents or high-risk entries where public safety and/or officer safety is at risk.
- Potentially vicious animal (i.e., an aggressive animal trying to harm member(s) of the community or an officer.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

Annual Cost:

- There were no new purchases of chemical agents in 2022. There is no additional maintenance cost for this equipment, however needs to be replaced after 5 years.
- There were no additional training costs in 2022.

Inventory:

- Eighteen (18) Combined Tactical Systems, CS Baffled Canister Grenade, Pyro, Low Flame.
- Twelve (12) Combined Tactical Systems, Riot CS Smoke.
- Twenty-four (24) Combined Tactical Systems, White Smoke.
- Twenty-four (24) Combined Tactical Systems, 40mm CS Powder Barricade Penetrating Rounds.
- Thirty-one (31) Combined Tactical Systems, Riot Control Continuous CS Smoke Discharge Grenade.
- Eight (8) Combined Tactical Systems, Military Style SAF-Smoke CN / CS Grenade.
- Eight (8) Combined Tactical Systems, Pocket Tactical Grenade—SAF-Smoke.
- Six (6) Combined Tactical Systems, Pocket Tactical CS Smoke Grenade.
- Twelve (12) Combined Tactical Systems, 37mm CS Ferret Rounds
- Seventeen (17) Sabre Red, Phantom Aerosol Grenade-OC.

# ***Military Equipment Usage***

## **40mm Projectile Launchers and Munitions**

40mm Projectile Launchers were utilized a total of one (1) time from January 1, 2022, through December 31, 2022. Zero (0) of these incidents were in the City of Indio. However; the one (1) incident was deployed by an Indio P.D. police officer.

### Authorized usages:

- Safely address an individual who displays self-destructive, dangerous, or combative behavior.
- In circumstances to gain a tactical advantage during critical incidents or high-risk entries where public safety and/or officer safety is at risk.
- Potentially vicious animal (i.e., an aggressive animal trying to harm member(s) of the community or an officer).

### Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2022, through December 31, 2022.

### Annual Cost:

- In 2022, IPD purchased one hundred fifty (150) 40mm XM Exact Impact Sponge Rounds and fifty (50) 40mm Stinger 32 caliber rubber balls, which had a total cost of \$4,545.75.
- This purchase was to replace expired 40mm munitions, which after several years of not being used were found to be expired and had deteriorated from the heat. The purchase was also to replace the munitions used during officer training and certification.
- 40mm Launcher life span is 20 years, and 40mm munitions life span is 5 years.
- Annual maintenance for the launchers is between \$0 - \$50.00 per unit.

### Inventory:

- Twenty-six (26) Defense Technology 40mm Single Shot Launchers.
- Four (4) Penn Arms 40mm Pump Multi-Launchers.
- Two hundred twenty-seven (227) Defense Technology 40mm Direct Impact Sponge Rounds.
- Eighty (80) Defense Technology 40mm Direct Impact OC Rounds.
- Twenty-six (26) Defense Technology 40mm Direct Impact Marking Rounds.
- Three (3) Defense Technology 40mm Direct Impact Inert Rounds.

# ***Planned Military Equipment Requests for 2023***

## **Planned Requests of Military Equipment for 2023**

The Indio Police Department is scheduled to seek Indio City Council approval to purchase five (5) Unmanned Aircraft Systems (UAS), also known as Drones. In compliance with AB 481, IPD will request City Council approval for the purchase at a regularly scheduled City Council meeting.

### Authorized Usages:

- Conduct aerial searches for Missing Persons.
- Collection of evidence in the form of aerial photography / video in support of an investigation (i.e., traffic scenes, shooting scenes, homicide scenes).
- Provide the ability to monitor rapidly evolving reports of at-large persons suspected of serious criminal offenses or individual threatening violent behavior before potentially dangerous face-to-face contact is required.
- Provide aerial observation to assist in managing natural disasters (i.e., fires, floods, storms).
- Community events for engagement and developing public trust.

### Anticipated Annual Cost and Annual Maintenance:

- One (1) Axon Air, DJI Mavic 3 Thermal SP Plus—\$6,522.83
- Two (2) Axon Air, DJI Mavic 3 Enterprise SP Plus—\$8,608.65
- Two (2) Axon Air DJI Mavic Mini 2—\$1,409.40
- Annual software, programming, and maintenance estimated cost—\$9,757.32

### Life Span:

- Estimated Life Span is 3 –5 years.

## **Attachments**

- Indio Police Department Policy #708—Military Equipment
- Military Equipment Description and Cost

## ***Conclusion***

The acquisition and use of military equipment in our community may impact the public's safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in the local government's decision to fund, acquire, or use such equipment. When making decisions regarding how military equipment is funded, acquired, or used, the Indio Police Department gives strong consideration to the public's welfare, safety, civil rights, and civil liberties.

In a continued effort for greater transparency, the Indio Police Department places high regard to meaningful public input in the use of military equipment in our community, in an effort to increase the safety of the public. Any member of the public can submit a question or concern regarding military equipment use by contacting Sergeant Erik Longoria at [elongoria@indiopd.org](mailto:elongoria@indiopd.org). The Department will strive to provide a timely response to the community's questions and concerns regarding the use of military equipment.

Any member of the public can submit a complaint to any member of the Department and in any form (i.e., in person, telephone, email, etc.) Once the complaint is received, it should be routed to a supervisor for proper documentation and investigation, in accordance with Indio Police Department Policy #1020 (Personnel Complaints).