

AGENDA STAFF REPORT



DATE: May 26, 2025

TO: Honorable Mayor and City Council

THRU: Patric Gallegos, Interim City Manager

FROM: Michael Henderson, Chief of Police

SUBJECT: **Annual Military Equipment Report Review and Introduction of Ordinance to Renew Military Equipment Authorization and Approve Seal Beach Police Department's Updated Policy 706 in Accordance With Government Code Section 7071**

SUMMARY OF REQUEST:

That the City Council take the following actions:

1. Review and file the Seal Beach Police Department's Annual Military Equipment Report for 2024; and
2. Introduce Ordinance No. TBD to renew Ordinance 1694 and to approve the updated Seal Beach Police Department's Military Equipment Use Policy – Policy 706.

BACKGROUND AND ANALYSIS:

On May 28, 2023, the City Council adopted Ordinance 1694 (Attachment A), approving a Military Equipment Use Policy – Policy 706, pursuant to Assembly Bill 481 ("AB 481"). In accordance with AB 481 and Policy 706, a military equipment report must be submitted to the City Council annually for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use. The Police Department's 2024 Annual Military Equipment Report is provided below, pursuant to Government Code section 7072. The updated Policy (Attachment B) and Inventory are also attached.

Background

On September 30, 2021, Assembly Bill 481 ("AB 481") required law enforcement agencies to adopt a military equipment use policy (Policy 706), by ordinance, no

later than May 1, 2022. The Seal Beach Police Department complied with AB 481 and adopted Ordinance No. 1694 approving Policy 706.

AB 481 also requires law enforcement agencies to submit to the City Council an annual military equipment usage report ("Annual Report") on the use of the equipment, any complaint(s) or concern(s) regarding the use of the equipment, results of any internal audits on the use of the equipment, the annual costs for the equipment, the quantity possessed by the agency, and the intention to purchase additional equipment in the following year. In addition, within 30 days of submitting and publicly releasing the Annual Report, a well-publicized and community engagement meeting must be held to allow for public comments.

Government Code § 7072 requires that the Department's Annual Report include the following information for the immediately preceding calendar year about each type of military equipment:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- 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.
- The quantity possessed for each type of military equipment.
- If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

To renew Ordinance No. 1694 and approve the updated Policy 706 by ordinance, City Council must determine whether each type of military equipment identified in the Annual Report and Policy 706 complies with the following standards under Government Code § 7071(d):

- The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- The military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

We recommend that the City Council adopt the proposed Ordinance to renew Ordinance 1694 and approve the updated SBPD Policy 706 and Military Equipment Inventory if it can make the above-mentioned findings.

Complaints or Concerns

All use of force incidents are reviewed by assigned supervisors and Watch Commanders. The supervisor for each use of force incident completes a supervisor's report and provides a determination as to whether the use of force was consistent with Department Policy. The supervisor's report is reviewed by the Operations Bureau Lieutenant and Captain, and ultimately the Chief of Police, to ensure employees perform their duties within guidelines set by Department policy and applicable law.

In 2024, no violations were discovered, and officers were found to be operating in a manner which met or exceeded Department and community expectations. As listed below in our use summary, Seal Beach Police Department did not receive any complaints or concerns related to the use of military equipment.

Internal Audit

The Department conducted an internal audit and found no violations of the military equipment use policy.

Equipment Purchases in 2024

The only purchases for the Seal Beach Police Department in 2024 included additional ammunition.

The inventory for the Unmanned Aircraft Systems (UAS) at the time of adoption of Ordinance 1694 and Policy 706 consists of one DJI Mavic 2 Enterprise Dual and one DJI Avata. During 2023, the DJI Mavic 2 Enterprise Dual, Serial Number 1581F4QWD227B0021HFY was decommissioned due to damage sustained during a flight when the battery malfunctioned, causing an emergency landing condition. This Drone has not been repaired due to the prohibitively expensive repairs required.

Intention to Purchase Additional Equipment in 2025

Seal Beach Police Department does not intend to acquire additional types of military equipment, however, future attempts to obtain new equipment will adhere to procedures set forth in the Government Code and Policy 706, including a public hearing and City Council approval prior to acquisition.

For 2025, Seal Beach Police Department intends to purchase a new drone to replace the drone damaged two years ago. Due to the changing legislative landscape additional research still needs to be completed in order to identify a

drone that can meet the needs of the city. Additionally, the Seal Beach Police Department requests additional ammunition and chemical agents, which were previously authorized and need to be replenished after being used in either the field or training environments. All items that require replenishment are included in our updated policy and the attached Inventory that was previously approved by the City Council.

Our Department Inventory and all costs associated with the use of the listed equipment is believed to be consistent with the military equipment inventory list, policy, and Department budget, previously approved by the City Council. The operating costs listed below reflect good faith estimates subject to changes based on variables related to availability, shipping, and general market increases for vendors or manufacturers.

Equipment Inventory

Equipment	Make/Model	Quantity	Purchase Cost	Annual Fiscal Impact	
1 Unmanned Aircraft System (UAS)					
	DJI MAVIC 2 ENTERPRISE DUAL	2	\$ 5,500.00	\$ 2,000.00	***
	DJI Avata	1	\$ 677.74		
2 40 MM Launchers and Rounds					
Launchers	DEFENSE TECHNOLOGY (DT), 40MM SINGLE SHOT LAUNCHER	1	\$ 1,000.00	\$ 50.00	
Rounds	DT, 40MM EXACT IMPACT SPONGE	41	\$ 26.50	\$ -	
	DT, 40MM DIRECT IMPACT CS	4	\$ 30.00	\$ -	
3 Less Lethal Shotgun					
Shotgun	REMINGTON Model 870 SHOTGUN	13	\$ 946.00	\$ 50.00	
Rounds	Drag Stabilized 12-GAUGE BEANBAG ROUND	317	\$ 5.00	\$ -	
4 Rifles					
Rifle	Colt AR-15 223 16"	37	\$ 846.56	\$ -	*
	Colt AR-15 223 SBR	4	\$ 1,223.64	\$ -	*
	Geissele AR-15 223 14.5 SBR	5	\$ 750.00	\$ -	*
	Geissele AR-15 5.56 10.3 SBR	5	\$ 925.00	\$ -	*
	H&K MP-7 4.6X30 7.1"	2	\$ 1,852.20	\$ -	*
Rounds	Winchester 223 Remington 55 Gr. Silver Tip	980	\$ 802.74	\$ -	**
	Winchester 5.56 MM 55 Gr. FMJ	10,600	\$ 392.21	\$ -	**
	Winchester 223 Remington 55 Gr. Frangible	1,480	\$ 668.05	\$ -	**
	L-Tech 4.6 x 30MM 31 Gr. Frangible	4,800	\$ 437.50	\$ -	**
	L-Tech 4.6 x 30MM 31 Gr. OTM	880	\$ 572.00	\$ -	***
	Hornady 308 WIN TAP 168 gr A-MAX TAP Precision	400	\$ 656.20	\$ -	***
5 PepperBall Launcher					
Launcher	Tippmann Pepperball Gun	2	\$ 1,146.50	\$ 50.00	
Rounds	PepperBall LIVE-X PROJECTILE	340	\$ 3.00	\$ -	

	Equipment	Make/Model	Quantity	Purchase Cost	Annual Fiscal Impact
		6 Armored Vehicles			
	SWAT	LENCO BEARCAT G2	1	\$ 315,518.65	\$ 1,000.00
		7 Mobile Command Post Vehicle (MCP)			
	SWAT	Freightliner M2 106 vehicle	1	\$ 450,000.00	\$ 1,000.00
		8 Distraction Devices			
	SWAT	COMBINED TACTICAL SYSTEMS (CTS), MODEL 7290 FLASH BANG	1	\$ 45.00	\$ -
		DT, No. 15 STINGER GRENADE	15	\$ 36.00	\$ -
		9 Chemical Agent and Smoke Canisters			
	SWAT	DT, DIRECT IMPACT 40MM OC ROUND	5	\$ 26.50	\$ -
		DT, FLAMELESS TRI-CHAMBER CS GRENADE	2	\$ 34.94	\$ -
		DT SPEDE-HEAT CS GRENADE	15	\$ 28.30	\$ -
		DT CS TRIPLE-CHASER SEPARATING CANISTER	1	\$ 44.89	\$ -
		DT 40MM CS FERRET POWDER BARRICADE PENETRATING PROJECTILE ROUND	7	\$ 20.91	\$ -
		DT 40MM CS FERRET LIQUID BARRICADE PENETRATING PROJECTILE ROUND	7	\$ 21.53	\$ -
		DT RIOT CONTROL CS GRENADE	15	\$ 32.70	\$ -
		DT POCKET TACTICAL CS GRENADE	15	\$ 31.25	\$ -
		10 Explosive Breaching Tools			
	SWAT	Kinetic Breaching Tool (KBT) Model 3-1000	1	\$ 10,494.38	\$ -
		11 Robot			
	SWAT	TRANSCEND Vantage Patrol Robot		\$ 10,000.00	\$ 500.00
		12 Long Range Acoustic Device (LRAD)			
	SWAT	Genasys Long-Range Acoustic Device (LRAD) Model 500X	1	\$ 25,000.00	\$ -
		* Price Per			
		** Price Per 1000			
		***Total Cost			

Use Summary

There were no incidents or complaints about the Seal Beach Police Department's use of military equipment authorized in 2024.

The table illustrated below includes use of Unmanned Aerial Systems (UAS) by the Seal Beach Police Department in response to calls for service in 2023:

Date	Flight Time	Duration	Reason	Location
12/21/24	3:56 AM	0m 16s	Suspicious Person	815 Avalon Dr.
12/21/24	3:38 AM	2m 24s	Suicidal Subject	City of Cypress
12/21/24	2:58 AM	7m 15s	Commercial Burglary	City of Los Alamitos
11/15/24	4:41 AM	4m 52s	Suspicious Person	1698 Bolsa Ave.
10/9/24	11:14 AM	5m 42s	Open Door to Business	Seal Beach Blvd.

10/3/24	1:48 PM	7m 40s	Residential Burglary	Seal Way
10/3/24	1:47 PM	5m 15s	Prowler	Heron Circle
10/1/24	1:04 PM	7m 50s	Suspicious Person	Heron Circle
10/1/24	12:41 PM	5m 24s	Suspicious Person	Surfside Ave
10/1/24	12:35 PM	4m 28s	Poss. of Stolen Property	Old Ranch Rd.
10/1/24	12:29 PM	9m 46s	Suspicious Person	Old Ranch Rd.
9/12/24	10:58 AM	16m 30s	Attempt Suicide	Ocean Ave.
9/10/24	3:34 PM	1m 9s	Trespassing	Golden Rain Rd.
6/22/24	5:25 AM	0m 34s	Possible Drowning	900 Ocean Ave.
6/22/24	5:18 AM	11m 38s	Foot Pursuit	City of Los Alamitos
6/22/24	4:18 AM	1m 39s	Family Disturbance	City of Los Alamitos
6/22/24	4:07 AM	8m 33s	Unlawful Assembly	Seal Beach Blvd.
5/12/24	1:32 AM	11m 8s	Residential Burglary	Fir Ave.
5/12/24	1:31 AM	9m 32s	Stranded Water Vessel	Neptune Ave.
5/12/24	1:30 AM	8m 4s	Foot Bail	City of Cypress
5/4/24	10:07 AM	2m 53s	Commercial Burglary	Pacific Coast Highway.
5/4/24	5:35 AM	5m 16s	Shots Fired	City of Westminster
4/27/24	9:45 AM	6m 2s	Stolen Vehicle Foot Bail	City of Los Alamitos

Public Hearing

The Seal Beach Police Department gives strong consideration to the public's welfare, safety, civil rights, and civil liberties. In a continued effort for greater transparency, our Department values meaningful public input related to the use of military equipment in our community.

The Seal Beach Police Department is required to hold at least one well-publicized and conveniently located community engagement meeting where community members may discuss and ask questions regarding the annual military equipment report. Meetings must be held within thirty days of posting this report on our department website. The Seal Beach Police Department will provide this opportunity on May 26, 2025, at 7:00 pm, during the City's regularly scheduled City Council meeting. The meeting will take place in the City Council chambers and will include a presentation as well as opportunities to discuss this report with the Chief of Police and/or City Council.

In compliance with the requirements of AB 481, this staff report, which includes the 2024 Annual Military Equipment Report, and the updated Policy were published on the Department's website as of April 23, 2025.

ENVIRONMENTAL IMPACT:

This item does not have an environmental impact.

LEGAL ANALYSIS:

The City Attorney has reviewed and approved as to form.

FINANCIAL IMPACT:

This item does not have a financial impact.

STRATEGIC PLAN:

This item is not applicable to the Strategic Plan.

MEASURE BB:

This item is not applicable to Measure BB.

RECOMMENDATION:

That the City Council:

1. Review and file the Seal Beach Police Department's Annual Military Equipment Report for 2024; and
2. Authorize the renewal of Ordinance 1694 and approve the updated Seal Beach Police Department's Military Equipment Use Policy – Policy 706.

SUBMITTED BY:

NOTED AND APPROVED:

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Michael Henderson,
Chief of Police

Patrick Gallegos,
City Manager

Prepared by: Chris Hendrix, Operations Bureau Lieutenant

ATTACHMENTS:

- A. Ordinance 1694
- B. Policy 706 – updated 01-10-25
- C. Military Equipment Inventory List – updated 4-21-25