



Staff Report

TO: City Council
FROM: Sean Thuilliez, Chief of Police
DATE: April 19, 2022
SUBJECT: **Public Hearing and First Reading to Approve An Ordinance of the City of Beaumont Regarding Assembly Bill 481 – Military/Specialized Police Equipment Policy and Use**

Background and Analysis:

On September 30, 2021, California Governor Gavin Newsom signed Assembly Bill 481 (AB481), which became effective January 1, 2022. The bill requires the Beaumont Police Department to create a Military Equipment Use Policy which must be adopted by the City by May 1, 2022. Due to recent events in our nation, the public has asked state and local leaders to enact law enforcement reforms and set statewide standards for safe de-escalation techniques.

AB481 identifies certain law enforcement equipment as 'military equipment' and requires oversight from a governing body for purchase and usage of what the bill has deemed military equipment. For the Beaumont Police Department, the governing body is the Beaumont City Council. The purpose of this request is to seek approval and support from the City Council in adopting the list of inventories (specialized equipment) and its use. The use policy establishes an on-going standard and policy for safe de-escalation techniques and military equipment use/application which is attached as required by AB481.

The list of identified 'military equipment' is currently deployed by law enforcement agencies in this county as well as neighboring San Bernardino, San Diego, and Orange Counties, and throughout the State of California, as well as law enforcement organizations across the nation. AB481 lists equipment that is recognized and more appropriately identified by local, state, and federal law enforcement entities as **specialized police equipment**. Locally, the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) have endorsed the list of specialized equipment which is already in use across the county.

For additional context, Beaumont Police Department, over a span of many years has acquired these tools with previous City Council approval either during the annual budget process, or as individual agenda item purchases. Specialized police equipment is used only by highly trained and experienced law enforcement professionals. The list of itemized equipment is listed below as required by AB481. These inventory lists range from modernized tools, aerial drones, to off-road vehicles whose primary purpose is the preservation of human life when utilized in responding to critical incidents, which often

involve high-risk apprehension, search and rescue, fast responses to catastrophic events, reduce liability of physical injury to public and department personnel, and allow for de-escalation tactics during high-risk encounters with armed violent suspects. The tools, equipment, and resources can function as a force-multiplier in some cases to reduce manpower hours and is ultimately a cost savings to the City.

Riverside County law enforcement agencies are responsible for ensuring the highest standard of public safety, protecting, and serving members of the community, and apprehending criminal offenders. To help achieve and maintain the highest standard of public safety, law enforcement receives support from the local elected officials who are committed to funding operational needs, which includes the approval to purchase and finance necessary tools, protective gear, and specialized equipment for the purpose of helping protect and save lives and property.

With the City Council's partnership and approval, law enforcement can operate with the most advanced technology, equipment, and resources available with the goal to protect and serve the community with increased effectiveness, be prepared for the unexpected, and ultimately save lives with a uniform response standard by all law enforcement agencies across all jurisdictions within the county.

Although most tools, equipment, and resources listed as military equipment in AB481 are found in a military environment and may be similar in nature, the application in which the equipment is used is significantly different for public safety and law enforcement. Below is a list of the specialized equipment inventory and a variety of their uses.

Beaumont Police Department Specialized Equipment Inventory:

- **Unmanned, remotely piloted powered aerial vehicles (Drones)**
 - Search and locate reported missing children or at-risk adults.
 - Search and rescue operations to locate lost or injured hikers.
 - A law enforcement specific application involving aerial drones are used for open terrain or large field searches as a force-multiplier to assist in high-risk apprehensions of armed or violent suspects. Aerial drones can be used as an interior search tool to locate suspects barricaded inside a residence or commercial structure.
 - Unmanned robotics have numerous applications and are used instead of personnel in high-risk environments to increase safety for law enforcement.
 - Used to map and diagram crime and/or traffic accident scenes.

- **Assault weapons defined under PC 30510 and PC 30515**
 - Inventory includes AR style rifles that function at semi-automatic capability (fully automatic rifles are not assigned to Beaumont Police personnel).
 - Increased accuracy and precision at long range distances.
 - Currently used by most law enforcement agencies across the nation.

- **Command and control vehicles built or modified to facilitate the operational control and direction of public safety units**

- Command vehicles are built in various platforms. The Beaumont Police Department utilizes an RV style configuration. Vehicles are built to better assist in command and control during law enforcement operations, natural disasters, and public safety issues. Vehicles are designed with additional communication abilities, computers, white boards, lighting, generators, and mission essential supplies.
- **40mm projectile launchers**
 - Less lethal 40mm launchers and rubber projectile munitions are configured for high and low energy impact. 40mm less lethal has been effective in disarming violent suspects, armed suspects, and subjects who are suicidal with minimal injury and risk to the person, law enforcement or the public.
- **Bean bag launchers**
 - Less lethal bean bags are utilized through a marked/yellow colored easily identifiable less lethal shotgun. The bean bag round is a small led pellet filled munition made of high-density cloth. The bean bag is the predecessor to the 40mm projectile launcher.

The Sheriff's Department, Probation Department, District Attorney's Office, Riverside Area - California Highway Patrol, the County's twelve (12) municipal police departments, three (3) university and school police departments, and members of the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS), have committed to working cooperatively across jurisdictional boundaries to ensure that all catastrophic events, response to critical incidents, search and rescue operations and many other multi-jurisdictional events that arise from neighboring counties are supported safely and justifiably. Any of which require the use of any of the above listed specialized equipment are conducted in a fair, transparent and professional manner.

Prior to the City Council's public hearing, and as required by AB481, the military equipment policy has been available on the Beaumont Police Department's webpage 30 days before the scheduled hearing. The law requires the Beaumont City Council to vote in a public hearing for or against the Department's list of existing 'military equipment' and thereafter annually.

The full text to AB481 can be found here:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB481

The Beaumont Police Department will allow other law enforcement agencies into the City to conduct business with the understanding that their Military/Specialized Police Equipment policy has been approved by their governing body.

Impact on Residents and Businesses:

With the City Council affirming the Military/Specialized Equipment Use Policy and Inventory for the Police Department, there will be minimal impact on residents and businesses in the City of Beaumont. However, without approval, there would be significant challenges to officer safety and mutual aid from other law enforcement agencies to the City of Beaumont.

A notification to the public was published in area newspapers on April 6, 2022. This notification advertised the ordinance and the scheduled Public Hearing.

Fiscal Impact:

The cost to prepare this report is estimated to be \$500.00.

Recommended Action:

Hold a public hearing, and
Waive the full first reading and approve by title only, "An Ordinance of the City Of Beaumont for the adoption of a Military Equipment Use Policy, otherwise referred to herein as a Specialized Police Equipment Use Policy, Pursuant to Assembly Bill 481 and Government Code §7070 for Beaumont Police Department

Attachments:

- A. Beaumont Police Department Military/Specialized Equipment Use Policy
- B. Beaumont Police Department Military/Specialized Equipment Inventory
- C. Ordinance
- D. Notice of Public Hearing