

CARLSBAD POLICE DEPARTMENT
2023 ANNUAL MILITARY EQUIPMENT USE REPORT

The acquisition and use of military equipment by the City of Carlsbad has a direct impact on the public's safety and welfare. The community has a right to know about any funding, acquisition, or use of military equipment by the Carlsbad Police Department (CPD), as well as a right to participate in the local government's decision to fund, acquire or use such equipment.

California law and the CPD's military equipment use policy (Policy Section 708) require the CPD to publish an annual military equipment report. California Government Code Section 7072 requires this annual report to 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 or 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 CPD intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

1. Summary of how the military equipment was used and the purpose of its use.

The CPD primarily utilizes its military equipment through the CPD Special Weapons and Tactics (SWAT) Team. The SWAT Team is tasked with several responsibilities within the CPD. Those responsibilities include:

- Responding to callouts for critical incidents
- Serving high-risk search warrants, arrest warrants and other high-risk searches (e.g., parole/probation searches)
- VIP security/protection details
- Mobile Field Force/crowd control
- Quick Reaction Force for special events (Street Faire, Marathon, Carlsbad 5000, etc.)
- Security for sensitive evidence transportation

In addition to handling those tasks, the SWAT Team also serves as a training cadre for tactical concepts and strategic planning for the entire police department. They provide instruction for both officers and citizens in areas like active shooter response ("Run, Hide, Fight"), close-quarter clearings and search and rescue operations, among others. Members of the SWAT Team also perform site surveys to help community partners preemptively develop safe plans for potential critical incidents. Many of the items

contained within the military equipment inventory are used to ensure the safest standards are employed while carrying out these tasks.

The following section provides a summary of how each type of military equipment was used by CPD during 2023 and the purpose of its use:

High-Risk Warrant Services (search and arrest)

Number of incidents: **Nine** (Incident Numbers: 23001759; 230059436; 230062360; 230068059; 230073357; 230084388; 230084502; 230091187; and 230093040)

Type of Military Equipment Utilized: Armored rescue vehicle, unmanned aerial systems, mobile command center, equipment ambulance and the Throwbot were utilized. Optics, including night vision and weapon-mounted scopes/red dot sighting systems, and noise/flash diversionary devices were utilized during several missions. Standard-issued rifles, precision rifles, 40mm launchers and appropriate ammunition and accessories (e.g., noise suppressors) were deployed, but not used against a person during these operations.

Complaints Related to the Deployment: None

Internally Known Violations: None

Dignitary Protection Detail

Number of Incidents: **One** (Incident Number: 230033645, Secret Service protection detail for First Lady at La Costa Resort)

Type of military Equipment Utilized: Armored rescue vehicles, unmanned aerial systems, mobile command center and equipment ambulance were utilized. Optics, including night vision and weapon-mounted scopes/red dot sighting systems. Standard-issued rifles, precision rifles, 40mm launchers and appropriate ammunition and accessories (e.g., noise suppressors, DBAL, magnifiers) were deployed, but not used against a person during these operations.

Complaints Related to the Deployment: None

Internally Known Violations: None

Call-Out for Critical Incidents

Number of Incidents: **Four** (Incident Numbers: 230033645; 230064757; 230069066; and 230093772)

Type of Military Equipment Utilized: Armored rescue vehicles, unmanned aerial systems, mobile command center and equipment ambulance were utilized. Optics, including night vision and weapon-mounted scopes/red dot sighting systems. Standard-issued rifles, precision rifles, 40mm launchers and appropriate ammunition and accessories (e.g., noise suppressors) were deployed, but not used against a person during these operations.

Complaints Related to the Deployment: None

Internally Known Violations: None

Mobile Field Force/Crowd Control

Number of Incidents: None

Type of Military Equipment Utilized: None

Complaints Related to the Deployment: None

Internally Known Violations: None

Quick Reaction Force for Special Events

Number of Incidents: **Nine** (Carlsbad 5k, Carlsbad Marathon, Spring Street Faire, Fall Street Faire, State of the City Address, Carlsbad High School Graduation, Sage Creek High School Graduation, La Costa Canyon High School Graduation, and City of Carlsbad Concert in the Park [final session])

Type of Military Equipment Utilized: Armored rescue vehicles, unmanned aerial systems, various robotic platforms, mobile command center and equipment ambulance were utilized. Optics, including night vision and weapon-mounted scopes/red dot sighting systems. Standard-issued rifles, precision rifles, 40mm launchers and appropriate ammunition and accessories (e.g., noise suppressors) were deployed, but not used against a person during these operations.

Complaints Related to the Deployment: None

Internally Known Violations: None

UAV Deployment Log Summary

Number of Incidents: 168 (SWAT Team assists, open area searches, high-risk contacts, large events, Homeless Outreach Team encampment checks, missing persons search, and agency assists)

Unmanned Aerial Platform Utilized: Mavic Enterprise, Mavic Enterprise Advance, Mavic Zoom, Phantom4.

Complaints Related to the Deployment: None

Internally Known Violations: None

2. Summary of complaints or concerns received concerning military equipment.

During calendar year 2023, there were no internally generated complaints for policy violations related to the use of military equipment and no external complaints or concerns were received related to the use

of military equipment by CPD. For all use-of-force reviews and internal affairs investigations, officers were found to be operating the equipment in a manner that met or exceeded department standards. In summary, there were no internal or external complaints or concerns related to military equipment during calendar year 2023.

3. Results of any internal audits or information about violations of the military use policy, including any actions taken in response.

All incidents involving the use of force are reviewed by assigned supervisors and Watch Commanders, regardless of the equipment used. In addition, our Professional Standards Unit is tasked with conducting thorough investigations of any allegations of misconduct, including the application of military equipment that falls outside of the guidelines set by department policy and applicable law. These reviews and internal affairs audits provide the department with opportunities to reflect on their actions, policies, procedures, legislation and best practices within the law enforcement profession. Internal audits may also highlight opportunities for future growth while aiding the constant evaluation of practices related to training and daily operations.

For all 2023 use-of-force reviews and internal affairs investigations, no policy violations related to the use of military equipment were discovered and officers were found to be operating the equipment in a manner that met or exceeded department standards.

4. 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 total annual cost for the military equipment can be found in the 2023 Carlsbad Police Department Military Equipment Inventory, which is Appendix A to the 2023 Military Equipment Policy Section 708 and incorporated herein by reference. The 2023 Military Equipment Inventory covers the initial cost, recurring and maintenance costs and the original funding source for each item.

The use of military equipment primarily falls under the SWAT Team. The SWAT Team’s training and personnel budget for FY 2023-24 is as follows:

SWAT expense category	Amount budgeted
Overtime (Training, operational missions)	\$175,000
Software maintenance	\$950
Dues and subscriptions	\$750
Shooting range supplies	\$8,000
Misc. supplies (Diversionary devices, smoke, uniform accessories)	\$11,000
Training/training-related travel	\$6,500
Misc. meals/miles	\$2,500

In addition to the above SWAT personnel budget, the CPD SWAT Team utilized a federal grant fund award from the San Diego Urban Areas Security Initiative (UASI) FY21 to participate in a week-long close quarters combat course designed specifically for SWAT personnel. The grant award value was \$40,000.

5. Quantity possessed for each type of military equipment.

The total numbers for each piece of military equipment in CPD's possession can be found in the in *Carlsbad Police Department Military Equipment Inventory* which is Appendix A to the 2023 Military Equipment Policy Section 708 and incorporated herein by reference.

6. If CPD intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

Along with seeking authorization to use preexisting equipment, CPD will seek authorization to acquire, fund and use replacement equipment and supplies that meet the definition of military equipment. At this time, forecasted acquisitions of military equipment for the CPD in 2024 include:

1. Items needed to maintain the current inventory of expendable items approved through the military equipment policy.
2. Items that need to be repaired or replenished after being used in either the field or training environments. All items needing to be repaired or replenished are included in the 2024 Military Equipment Policy Section 708 and Military Equipment Inventory which is being submitted to the City Council for approval concurrently with this annual report. The department will replace, as needed, any existing approved military equipment with either the same make and model, or if unavailable, with substantially similar equipment that will be subject to the same requirements as the replaced equipment. Replacements will be accounted for in each annual report. The CPD's military equipment inventory and all costs associated with the use of this equipment is believed to be consistent with the 2024 Military Equipment Policy Section 708 and Military Equipment Inventory and department budget previously approved by the City Council. It should be noted, these operating costs are good faith estimates that are subject to change made by vendors and/or manufacturers based on variables related to availability, shipping and general market increases.
3. The CPD is seeking the purchase of four new Unmanned Aerial Vehicles (UAVs). These new UAVs are upgraded models, intended to replace current inventories that have become obsolete. The total number of UAVs in the Carlsbad inventory would not exceed 12, as several current UAVs would be retired. One of the sought-after UAVs is capable of being tethered, a technique used to provide continuous power in a fixed location (designed to be deployed at a special event or other static scene) for long durations. This is a capability not possessed by the current inventory.
4. To bolster de-escalation practices, the CPD intends to outfit more field personnel with highly accurate less-lethal 40mm Tactical Single Launchers, replacing less-lethal bean bag shotguns. The CPD is seeking to add 16 40mm single launchers to the current inventory of eight.
5. The CPD SWAT Team will be exchanging their current issued rifles (Sig MCX .300) for an AR-15 platform. The exchange of these rifles will reduce ammunition costs by switching to a caliber currently used by the rest of the department. This change will remove 24 Sig MCX rifles from the inventory, replacing them with 24 AR-15s (actual make and model to be determined).

6. CPD submitted a proposal to the San Diego Urban Areas Security Initiative (UASI) federal grant program in 2023 to purchase a new Bearcat armored rescue vehicle (previously disclosed in the 2022 Annual Report). The UASI Board approved the funding for the acquisition of a Lenco Bearcat Armored Rescue Vehicle and classified the approval as *Priority 3*. The *Priority 3* classification means the release of funds for this project would only be realized if enough higher-priority projects were abandoned. Should the grant awards be released for this equipment, the CPD would not take receipt of the equipment until several years later. The CPD currently maintains one Lenco Bearcat Armored Rescue Vehicle within its inventory. The current Bearcat was originally purchased in 2011 and is approaching the end of its normal lifecycle.
7. If an unforeseen need for new types of military equipment arises, CPD will adhere to the procedures required by California law and our Military Equipment policy, including a public hearing and City Council approval before acquisition.

For future acquisitions of additional equipment currently held in the department's inventory, the CPD recommends amending the current military equipment policy (Policy Section 708) to add the following section:

708.5.1 – REPLACEMENT OF APPROVED EQUIPMENT

The Police Department may acquire additional equipment and munitions of the types (or substantially similar types) contained in Appendix A. The quantity for each type of equipment and munition in Appendix A is not intended as a cap on the number that may be acquired.

Public Hearing

The CPD strongly considers the public's welfare, safety, civil rights and civil liberties. In a continued effort for greater transparency, the department places high regard on meaningful public input related to the use of military equipment in the community. Department policy requires the agency 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 submitting and publicly releasing this annual report. The CPD will be meeting with the public at the City of Carlsbad Safety Training Center on March 21, 2024, at 1700 hours to discuss this report. The meeting is open to everyone and will provide an opportunity for all to read the report, ask questions of SWAT personnel, view the equipment and provide feedback regarding the use of military equipment.

Conclusion

The CPD places great value on input from the community. The CPD, through the SWAT Team, frequently hosts public events encouraging interaction between members of the community and the officers. These events are designed to promote education and community engagement while fostering positive relationships with the citizens of Carlsbad. In accordance with The Military Equipment Policy Section 708, members of the public can submit feedback, questions or complaints regarding the use of military equipment by emailing police@carlsbadca.gov or by submitting a personnel complaint form. In addition, they can directly contact the department's military equipment representative, Lieutenant Ryan Opeka via email at ryan.opeka@carlsbadca.gov.