




# MEMORANDUM

**Date:** April 18, 2024

**To:** Jason Reed, Chief of Police

**From:** Brian Ventura, Captain 

**Subject:** *Military Equipment – April 2023/April 2024 Annual Report*

On March 21, 2022, the City Council adopted Ordinance No. 22-1000 approving our Military Equipment Policy §707 in compliance with Assembly Bill 481. AB 481, codified as Government Code Sections 7070 through 7075, places requirements on California law enforcement agencies relating to the funding, acquisition, or use of “military equipment” as defined in GC §7070.

Policy § 707.7 and GC §7072 requires the Police Department to submit to City Council an annual military equipment report regarding the following:

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 and quantity 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 this report.
5. The Montclair Police Department’s intention to acquire additional military equipment in the next year, including the quantity sought for each type of military equipment.



## Military Equipment Usage and Purpose of Use

Following implementation of the Military Equipment Policy, the Department established internal tracking mechanisms regarding the usage of the equipment. Throughout the past year, the Department utilized equipment pertaining to this Policy on four (5) occasions listed below:

- *On 9/7/23, the Montclair Police Department utilized the Lenco G3 Armored Personnel Carrier during a high-risk search warrant. The armored carrier was utilized as a ballistic protection as officers approached a high-risk location and remained at the location for a position of retreat if needed. The armored carrier was used for approximately one and a half hours.*
- *On 11/27/23, the Montclair Police Department utilized the Lenco G3 Armored Personnel Carrier during a dangerous high-speed vehicle pursuit. The suspect was evading officers feloniously. Officers attempted to pin the suspect vehicle in a parking lot when the suspect intentionally rammed a marked police vehicle and continued to evade officers. The armored carrier was deployed to the pursuit by two officers with the intention of using its weight and size to intervene and stop the suspect from evading. The armored carrier was not utilized as the suspect was taken into custody before it arrived on-scene. The armored carrier was deployed for approximately 1 hour and 10 minutes.*
- *On 2/28/24, the Montclair Police Department was involved in a vehicle pursuit. The pursuit led officers to the City of Pomona where the suspect stopped and refused to exit the vehicle. Officers on scene gave commands to the suspect to exit the vehicle, but the suspect failed to comply. The suspect turned on and off the headlights to the vehicle while also raising the volume of the stereo. An officer on-scene utilized an air-powered projectile launching system. Glass-Breaker balls were deployed at the rear windshield of the suspect vehicle with the intention of breaking out the rear windshield. The glass breakers were unsuccessful. A 12-gauge beanbag launching system was utilized during the incident. An officer deployed beanbag rounds at the rear windshield, which successfully broke the glass. Commands to have the suspect exit the vehicle resumed and were again unsuccessful. Inert Pepper Ball rounds were deployed from an air powered launcher into the vehicle. Afterwards, the suspect complied with the officers' commands to exit the vehicle. The suspect was then taken into custody without injury or further incident.*
- *On 4/3/23, the Montclair Police Department utilized the Lenco G3 Armored Personnel Carrier during a high-risk search warrant. The armored carrier was utilized as a ballistic*

*protection as officers approached a high-risk location and remained at the location for a position of retreat if needed. The armored carrier was used for approximately two hours.*

- *On 4/17/23, the Montclair Police Department utilized the Lenco G3 Armored Personnel Carrier during a high-risk search warrant. The armored carrier was utilized as a ballistic protection as officers approached a high-risk location and remained at the location for a position of retreat if needed. The armored carrier was used for approximately four hours.*

### **Complaints or Concerns**

No complaints or concerns regarding the Department's Policy or usage of Military Equipment were received. In compliance with the Military Equipment Policy, the Department's website maintained information and a means for the public to reach out for any questions, complaints, or concerns regarding the Policy. An audit was conducted of complaints received throughout the year, and none were related to the Military Equipment Policy or its usage.

### **Internal Audits or Violations**

Throughout the year, multiple audits were conducted of the possession, maintenance, cleaning, and training of the Military Equipment, mainly by the Technical Services Division as part of their normal duties. No violations were found to have occurred.

### **Annual Cost / Ongoing Cost / Funding Sources**

Attached to this report is an entire inventory of the Montclair Police Department's Military Equipment List, which will also be attached to our Policy Manual. The Department did not incur any additional costs associated with the transportation, maintenance, or storage of any of the equipment. Funding sources for the existing Military Equipment will remain in the calendar year following the submission of this report.

- In Category 12, Tear Gas, the Department was budgeted for acquiring approximately \$1,066 worth of various items of CS gas within this category. The purchase was made on July 11, 2023. None of these projectiles were utilized in the field during the past year. The funding source for these items was the *General Fund*.
- In Category 12, Projectile Launch Platforms, the Department was budgeted for acquiring approximately \$1,578 for various 40MM rubber impact rounds. The

purchase of these projectiles was to replenish those projectiles utilized for training purposes throughout the year. The purchase was made on July 11, 2023. None of these projectiles were utilized in the field during the past year. The funding source for these items is the *General Fund*.

- In *Category 12, Projectile Launch Platforms*, the Department is budgeted for acquiring approximately \$1,145 for various 40-gram lead-filled cotton-ballistic fiber blend projectiles for the listed Remington 870, 112 Gauge Multi-Shot Beanbag Launcher. The purchase of these projectiles is to replenish those projectiles utilized for training purposes throughout the year. The purchase is tentatively scheduled for May 2024. The funding source for these items is the *General Fund*.
- In *Category 2, Armored Personnel Carrier*, the Department is in possession of one (1) "Peacekeeper" brand Armored Rescue Vehicle, as listed in the current Military Equipment List. Listed in the "Expected Lifespan" portion of the vehicle, it is noted the Department has been in possession of the 1980 model Peacekeeper for over 25 years, and it is due for replacement. On June 6, 2022, the Montclair City Council approved the purchase of a Lenco BearCat G3 Armored Personnel Carrier.

In August 2023, the Montclair Police Department took possession of the Lenco BearCat G3 armored vehicle. The BearCat was placed into active service and the Peacekeeper was taken out of service.

### **Intention to Acquire Additional Military Equipment**

- Nothing to report.