



**OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SAN DIEGO
BUREAU OF INVESTIGATION**



2023 ANNUAL MILITARY EQUIPMENT REPORT

DATE: March 20, 2023
TO: San Diego County Board of Supervisors
PREPARED BY: Jorge Duran, Chief Investigator

RECOMMENDATION

Receive and file the San Diego District Attorney's Office Bureau of Investigation Annual Military Equipment Report per CA Assembly Bill No. 481 and authorize the purchase of unmanned aerial systems and additional rifles in 2023. Determine each type of equipment in the Report has complied with the standards for approval set forth in Government Code section 7071(d). Approve District Attorney's updated military equipment use policy, and make all determinations required by Assembly Bill 481, subject to the provisions of section 955 of the San Diego County Code of Administrative Ordinances. Review and renew Ordinance 10789.

BACKGROUND

On September 30, 2021, Governor Newsom signed into law Assembly Bill 481 (AB 481). Codified in Government Code sections 7070-7075, AB 481 required the governing body of a law enforcement agency approve a military equipment use policy for such equipment to be requested, acquired, or deployed by the agency.

On May 10, 2022, the San Diego County Board of Supervisors approved and adopted the San Diego County District Attorney's Office Bureau of Investigation Military Equipment Use Policy under Article LXIV Section 955 of the San Diego County Code of Administrative Ordinances (Ordinance 10789).

Additionally, Government Code 7072 requires law enforcement agencies present an Annual Military Equipment Report to their governing body detailing the use, complaints or concerns, results of any internal audits, annual costs, quantity possessed by the agency, and intent to purchase additional equipment in the following year.

DETAILS

Use of Military Equipment

- Colt AR-15 rifles were deployed 13 times in the field while executing search warrants, but never fired. Colt AR-15 rifles were also used during the training of law enforcement personnel.
- Miscellaneous assault weapons ranging from semi-automatic firearms to an assortment of fully automatic weapons of various calibers, makes, and models were displayed during three firearms education courses for District Attorney employees.



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- Pepper ball launcher and pepper balls were only used during the training of law enforcement personnel.
- 12 Gauge Less Lethal Impact Munitions Launchers (bean bag shotguns) were only used during the training of law enforcement personnel.
- Simunition 9mm FX Marking Cartridges were only used during the training of law enforcement personnel.
- Simunition 9mm SecuriBlank® Quiet Cartridges were only used during the training of law enforcement personnel.
- Force on Force 9mm Blank Cartridges were only used during the training of law enforcement personnel.

Complaints or Concerns

A review of department records revealed no complaints or concerns raised regarding the use of the Bureau's military equipment within the past year.

Internal Audit

An internal audit determined there were no violations of Bureau policy 5.9 – Military Equipment Use, or any other Bureau policy related to the acquisition or deployment of the Bureau's military equipment.

Quantity Possessed and Annual Costs

Item	Quantity	Annual Costs
Colt AR-15 Rifle (.223/5.56)	51	Re-Occurring Costs: \$0 Maintenance Costs: \$0-\$500 per firearm every 2 years
Miscellaneous assault weapons ranging from semi-automatic firearms to an assortment of fully automatic weapons of various calibers, makes, and models.	20	Recurring Costs: \$0 Maintenance Costs: \$0
Tippman FT-12 Pepper Ball Launcher	4	Recurring Costs: \$0 Maintenance Costs: \$0
Pepper Ball LIVE-X or equivalent	3 cases	Recurring Costs: \$0 Maintenance Costs: As needed
12 Gauge Less Lethal Impact Munitions Launcher-Remington	3	Recurring Costs: \$0 Maintenance Costs: As needed



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Item	Quantity	Annual Costs
Simunition 9mm FX Marking Cartridges	2000 rounds	Recurring Costs: \$0 Maintenance Costs: \$0
Simunition 9mm SecuriBlank® Quiet Cartridges	300 rounds	Recurring Costs: \$0 Maintenance Costs: \$0
Force on Force 9mm Blank Cartridges	1000 rounds	Recurring Costs: \$0 Maintenance Costs: \$0

Intent to purchase additional equipment

A review of the equipment needs for the Bureau has revealed a need to purchase additional equipment which falls within the prevue of our Military Use Policy.

Colt AR-15 Rifle	
Description	Colt AR-15 Rifle (.223/5.56)
Quantity Needed	6
Capability	Provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, AR-15 rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor.
Life Span	20 years
Manufacturer's Desc	Throughout the world today, Colt's reliability, performance, and accuracy provide our Armed Forces the confidence required to accomplish any mission. Colt's LE6920 series shares many features of its combat-proven brother, the Colt M4.
Purpose	The AR-15 can stop threats of great bodily injury or death at close and intermediate ranges. The AR-15 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.
Authorized Usage	May be used to defend against an imminent threat of serious bodily injury or death. AR-15 rifles are not appropriate for every situation and should only be deployed during situations where they enhance officer and civilian safety.
Costs	Initial Cost: \$2500 per firearm Re-Occurring Costs: \$0 Maintenance Costs: \$0-\$500 per firearm every 2 years Funding Source: District Attorney department funds
Required Training	24 hour –Patrol Rifle Course (CA POST). Annual Qualifications



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Authority for Authorized Use	Bureau of Investigation P&R Section 5.1: Authorized Equipment Bureau of Investigation P&R Section 4: Use of Force
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Unmanned Aircraft Systems (UAS) have become common place tools used by law enforcement agencies throughout the United States in support of operations which would benefit from an aerial perspective. The majority, if not all, law enforcement agencies operating within San Diego County currently possess and deploy UAS because of the low cost and high value added to law enforcement activities. Their uses include major crime scene aerial photography and videography, enforcement activity posing a risk to officer and public safety such as search warrants, and mutual aid events such as search and rescue. The San Diego County District Attorney's Bureau of Investigation intends to purchase two UAS in 2023.

DJI Mavic 3 Enterprise Thermal	
Description	Commercial Unmanned Aircraft System (UAS)
Quantity	1
Capability	Fly, hover, broadcast video, record video, photography, thermal imaging
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Desc	Commercial grade UAS equipped with integrated thermal camera. Has adjustable parameters and multiple display modes.
Purpose	Provide aerial support for law enforcement operations. Aerial photography/videography for court exhibits
Authorized Usage	Enhance officer and civilian safety Law enforcement operations which would benefit from an aerial perspective
Costs	Initial Cost: \$5,750 Re-Occurring Costs: \$0 Maintenance Costs: As needed Funding Source: District Attorney department funds
Required Training	Drone pilot ground school, FAA Part 107 certificate, minimum of 20 hours flight training time, monthly training flights, annual FAA Part 107 refresher test
Authority for Authorized Use	Certificate of Waiver or Authorization (COA) FAA Part 107 and FAA Part 107 Waiver(s) Bureau P&R Section 5.11: Unmanned Aircraft Systems



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DJI Avata	
Description	Commercial Unmanned Aircraft System (UAS)
Quantity	1
Capability	Fly, hover, broadcast video, record video, photography
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Desc	Commercial grade UAS equipped. Has adjustable parameters and multiple display modes.
Purpose	Provide aerial support for law enforcement operations. Aerial photography/videography for court exhibits
Authorized Usage	Enhance officer and civilian safety Law enforcement operations which would benefit from an aerial perspective
Costs	Initial Cost: \$1,400 Re-Occurring Costs: \$0 Maintenance Costs: As needed Funding Source: District Attorney department funds
Required Training	Completion of formal commercial drone pilot ground school, FAA Part 107 certification, minimum of 20 hours flight training time, monthly training flights, annual FAA Part 107 refresher test
Authority for Authorized Use	Certificate of Authority issued by FAA #711-1 UAS COA Bureau P&R Section 5.11: Unmanned Aircraft Systems FAA Part 107 holder and completion of Department Training

Public Notice

In compliance with AB 481, this report, Bureau Policy 5.9 Military Equipment Use, and Bureau Policy 5.11 Unmanned Aircraft Systems were published, in draft form, on the San Diego County District Attorney's website at least 30 days prior to presenting this report to the Board of Supervisors. Within 30 days of submitting and publicly releasing this report, the San Diego County District Attorney's Bureau of Investigation will 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. This report will also be publicly available on the San Diego County District Attorney's internet website for as long as the military equipment is available for use.