

STOCKTON UNIFIED SCHOOL DISTRICT
DEPARTMENT OF PUBLIC SAFETY

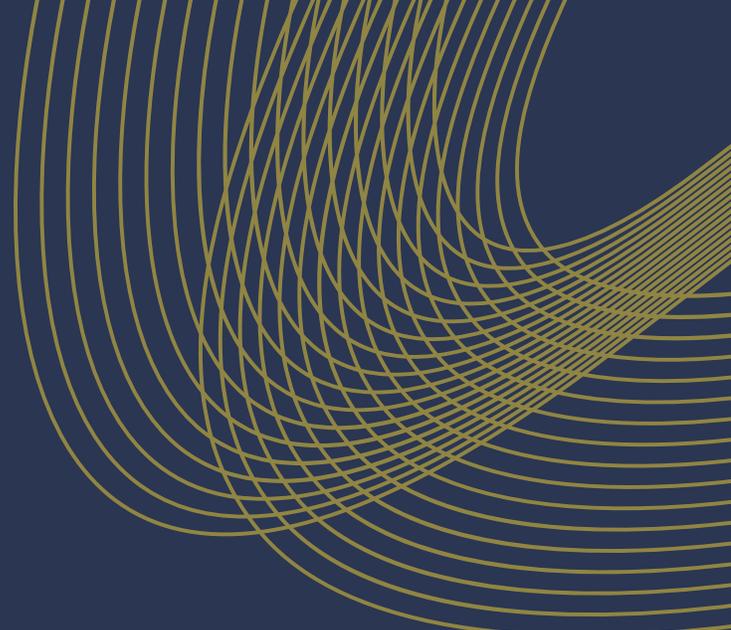


2022 ANNUAL REPORT

AB 481: Military Equipment Use Report

MARCH 2023

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EXECUTIVE SUMMARY

On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481, requiring law enforcement agencies to obtain approval from the applicable governing body, (School District Board of Trustees) for the adoption of a military equipment use policy. The Stockton Unified School District Department of Public Safety is required to seek the Stockton Unified School District Board of Trustees' approval of their Military Equipment Use Policy at a regular open meeting prior to taking certain actions relating to the funding, acquisition, and use of military equipment.

Assembly Bill 481 allows the governing body to approve the funding, acquisition, and use of military equipment within its jurisdiction, only if it determines that the military equipment meets specified standards. The Military Equipment Use Policy is subject to the Board of Trustees review to determine whether the standards set forth in Assembly Bill 481 have been met, based upon an Annual Military Equipment Use Report.

Requirements of AB 481

Assembly Bill (AB) 481 requires each law enforcement agency's governing body to adopt a written military use policy by ordinance in addition to other requirements by the bill. The following are required:

- Publish the draft military equipment use policy to the Police Department's website 30 days ahead of a public hearing to approve the policy.
- Obtain approval by the applicable governing body (Mayor and City Council), by adoption of a military equipment use policy prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. (See definitions below)
- Publish an annual report by the law enforcement agency to include each type of military equipment approved by the governing body.
- Annual review of the military equipment use ordinance by the governing body, and option to either disapprove a renewal of a type of military equipment or amend the military equipment use policy if it determines that the military equipment does not comply with standards for approval.
- Hold at least one well publicized and conveniently located community engagement meeting within 30 days of submitting and publicly releasing the annual military equipment report.

INTRODUCTION

The Stockton Unified School District Department of Public Safety possesses and employs a specialized variety of military equipment to assist in safely achieving the furtherance of its mission statement to “create and maintain a vital, healthy, safe, and just community and to improve the quality of life for all.” While the inventory of military equipment varies, the mere possession of the equipment does not warrant its use for every incident.

It is incumbent upon incident commanders, supervisors, individual officers, and specific units to recognize the particular circumstances wherein military equipment should be employed to enhance the safety of the public and officers and to bring a critical incident to a safe resolution.

This Annual Military Equipment Use Report outlines a summary of military equipment usage guidelines, inventory, fiscal impact, complaints, and reported concerns from April 26, 2022, through January 31, 2023.

DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The Stockton Unified School District Board of Trustees

Military equipment – Includes but is not limited to the following (Government Code § 7070 (c)(1)(16)):

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

DEFINITIONS

“Military Equipment Use Policy” refers to the Stockton Unified School District Department of Public Safety Procedure and means a publicly released, written document governing the use of military equipment by the Department that addresses, at a minimum, all of the following:

1. A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.
2. The purposes and authorized uses for which the Department proposes to use each type of military equipment.
3. The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any sworn member is allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.
6. The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. The procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the Department will ensure that each complaint, concern, or question receives a response in a timely manner.

SUMMARY OF MILITARY EQUIPMENT USAGE

The Stockton Unified School District Department of Public Safety is one of a handful of specialized K-12 police agencies in California. The Department works 24/7 with a focus on students, staff, schools, and safety/security, and serves more than 40,000 students, faculty, and staff at more than 60 schools in the greater Stockton community.

In 2022, SUSD Department of Public Safety police officers contacted over 5,202 people. Of those contacts, force was used 14 times. Of the force option utilized, military equipment in the form of projectiles was not used in any of those incidents. These statistics illustrate the relatively low instances of military equipment used by our department.

While the Stockton Unified School District Department of Public Safety's inventory of military equipment is varied, the mere possession of the equipment does not warrant its use for every incident. The Stockton Unified School District Department of Public Safety recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of military equipment options can greatly assist incident commanders, officers, and specific units in bringing those incidents to a swift resolution in a safe manner. The use of military equipment is restricted to use only in certain instances and in some cases only by certain units.

This section outlines the military equipment usage from April 26, 2022, through January 31, 2023. Certain items of military equipment, particularly consumables (ammunitions) are used throughout the year on a regular basis for training to maintain proficiency. Training usage is not captured in this section. This section only provides data for the operational use of military equipment listed within this Annual Military Equipment Use Report.

OUTREACH AND COMMUNITY ENGAGEMENT

The Stockton Unified School District Department of Public Safety is committed to improving the trust and confidence between the Department and the community it serves. As the Department strives to enhance community relationships and continues to be a progressive leader amongst law enforcement agencies nationwide, we want to ensure the public has access to the way its District Public Safety Department operates and engages with the public.

The Stockton Unified School District Department of Public Safety regularly utilizes select military equipment, the School Emergency Mobile Communications Vehicle, during community events as a means of providing a safe environment for the public to enjoy all of the great amenities the SUSD Department of Public Safety has to offer.



MILITARY EQUIPMENT INVENTORY

THE FOLLOWING CONSTITUTES A LIST OF QUALIFYING EQUIPMENT FOR THE DEPARTMENT:

INVENTORY BY EQUIPMENT TYPE

April 26, 2022, through January 31, 2023

INVENTORY LIST		
School Emergency Mobile Communications Vehicle		
Equipment Name and Model / Manufacturer	Inventory Quantity	2022 Purchase
Customized 1996 GMC FC	1	0
Specialized Firearms and Ammunition		
Sig Sauer MCX Semi-Automatic 16" Rifle	17	0
Colt AR-15 Semi-Automatic Rifle	10	0
AMMUNITION		
Speer Gold Dot. 223 Caliber 62 Grain Rifle Round	50 cases	0
Winchester 9mm Luger Auto 147 Grain Full Metal Jacket Flat	30 cases	0
Federal 9 MM Luger Grain HST Duty Ammunition	28 cases	0

Note: The inventory of certain items of consumable military equipment (i.e. ammunitions) frequently fluctuates throughout the year due to operational usage, training usage, operational wear, and/or manufacturer recommended replacement guidelines. While the SUSD Department of Public Safety strives to provide accuracy in its inventory reporting, this report reflects approximations of certain consumable items of military equipment during the period listed above.

MILITARY EQUIPMENT INVENTORY

SCHOOL EMERGENCY MOBILE COMMUNICATIONS VEHICLE

An unarmored vehicle equipped with specific communication and audio-visual devices to assist in the command and control of a critical incident. The School Emergency Mobile Communications Vehicle was utilized two (2) times from April 26, 2022, through January 31, 2023, for the SUSD Department of Public Safety's annual "Trunk or Treat" and National Night Out community event.

CUSTOMIZED 1996 GMC FC

Cost: \$16,000

Quantity: 1

Originally purchased by the Stockton Unified School District (SUSD) and used as a mobile computer lab. The Department of Public Safety repurposed the vehicle to be used as a mobile command center containing public safety radios and other resources allowing SUSD personnel in charge of school safety to have the tools to properly manage a school emergency to properly manage a school emergency



PURPOSE:

To be used as a mobile computer lab and command center in circumstances involving, for example, a critical incident or emergency, large crowds of people, or a natural disaster.

AUTHORIZED USAGES:

There have been two (2) reported usages for the Department's annual community events.

UNAUTHORIZED USAGES:

There have been zero (0) reported violations of the military equipment use policy from April 26, 2022, through January 31, 2023.

MILITARY EQUIPMENT INVENTORY

SPECIALIZED FIREARMS

Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

SIG SAUER MCX SEMI-AUTOMATIC 16" RIFLE

Cost: \$1750 each, Quantity: 17

A rifle that fires an intermediate-power cartridge (.223) is more powerful than a standard pistol but less powerful than a standard rifle. It has a folding telescoping stock which allows a trained officer better control inside of structures with greater accuracy than a handgun.



COLT AR-15 SEMI-AUTOMATIC RIFLE

Cost: \$990 each, Quantity: 10

A rifle that fires an intermediate-power cartridge (.223) enables an officer greater accuracy than a handgun.



PURPOSE:

To be used as precision weapons that are capable of addressing threats with more precision and/or over a greater distance than handguns, if present and feasible in accordance with Department Policy 312.

AUTHORIZED USAGES:

Rifles were utilized zero (0) times between April 26, 2022, through January 31, 2023.

UNAUTHORIZED USAGES:

There have been zero (0) reported violations of the military equipment use policy between April 26, 2022, through January 31, 2023.

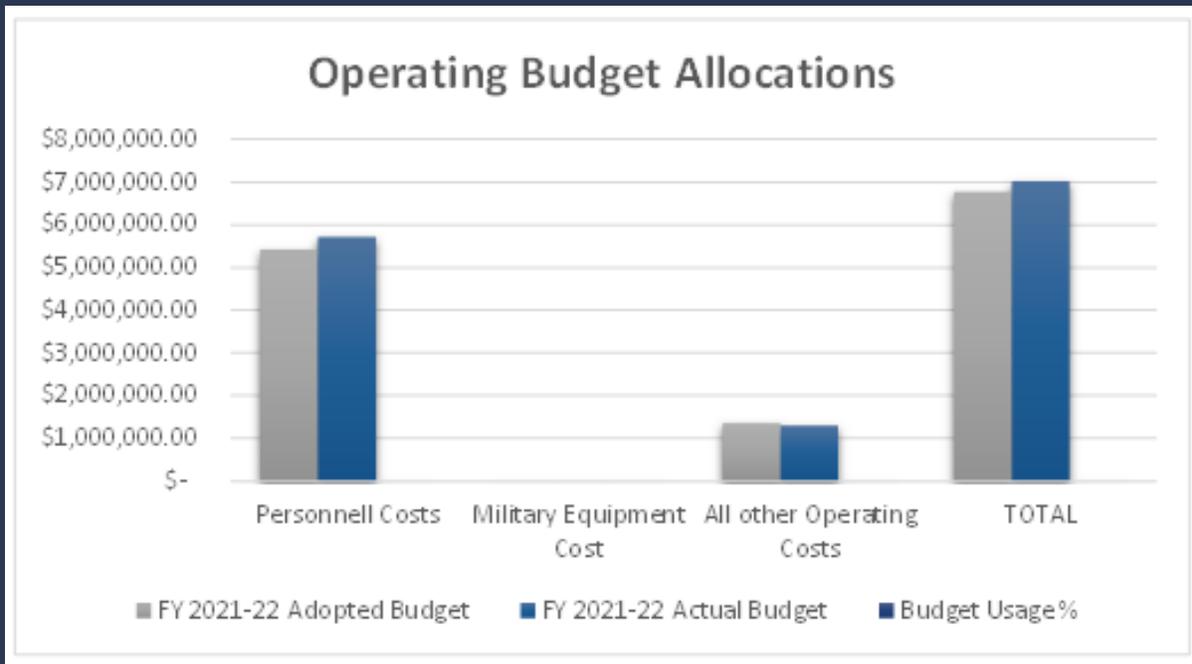
FISCAL IMPACT

FISCAL YEAR (FY) 2022

April 26, 2022, through January 31, 2023

Currently, the SUSD Department of Public Safety maintains a workforce comprised of 38 full-time equivalents (FTE) sworn officers, 8 dispatchers, and 5 professional staff. The department’s adopted budget for FY 2021-22 was approximately \$6,768,904, 81% of which is allocated for personnel expenses. The department allocation for military equipment expenditure is zero (0) percentage, there were no new military equipment and ammunition purchased in FY 2022.

The following outlines the fiscal impact of military equipment on the annual budget. As evidenced by the chart below and subsequent data tables, military equipment and related costs are nominal as compared to the overall Department budget.



Category	FY 2021-22 Adopted Budget	FY 2021-22 Actual Budget	Budget Usage %
Personnell Costs	\$ 5,425,779.00	\$ 5,714,367.00	81%
Military Equipment Cost	\$ -	\$ -	0%
All other Operating Costs	\$ 1,343,125.00	\$ 1,297,711.74	19%
TOTAL	\$ 6,768,904.00	\$ 7,012,078.74	100%

2023 MILITARY EQUIPMENT ACQUISITION

CONSUMABLE MILITARY EQUIPMENT ACQUISITIONS FY 2023

Projected consumable military equipment acquisitions for FY23 (February 1, 2023 – April 26, 2023) are anticipated to be consistent with current replenishment schedules and quantities for consumables.

Categories of consumable military equipment are listed below:

- Speer Gold Dot. 223 Caliber 62 Grain Rifle Round Ammunition
- Winchester 9mm Luger Auto 147 Grain Full Metal Jacket Flat Point Practice Ammunition
- Federal 9 MM Luger Grain HST Duty Ammunition

Funding for the majority of the consumable military equipment for FY23 is anticipated to be sourced from the existing police budget.

NON-CONSUMABLE MILITARY EQUIPMENT ACQUISITIONS FY 2023

Projected non-consumable military acquisitions for FY23 (February 1, 2023 – April 26, 2023) are anticipated to be zero (0) at this time. Any unanticipated replacements of existing non-consumable military equipment for FY23 will be initiated on a case-by-case basis that is dependent on operational need, operational wear, or end of serviceable lifespan and will be consistent with the Board of Trustees approved policy for acquisitions of military equipment.

Categories of non-consumable military equipment are listed below:

- School Emergency Mobile Communications Vehicle
- Sig Sauer MCX Semi-Automatic 16" Rifle
- Colt AR-15 Semi-Automatic Rifle

2023 MILITARY EQUIPMENT ACQUISITION

PROJECTED ANNUAL COST/MAINTENANCE FISCAL YEAR 2023

CATEGORY	FY-21	FY-22	FY-23
SCHOOL EMERGENCY MOBILE COMMUNICATIONS VEHICLE	\$0	\$0	\$0
SIG SAUER MCX SEMI-AUTOMATIC 16" RIFLE	\$0	\$0	\$0
COLT AR-15 RIFLE SEMI-AUTOMATIC	\$0	\$0	\$0
SPEER GOLD DOT .223 CALIBER 62 GRAIN RIFLE ROUND AMMO	\$0	\$0	\$0
WINCHESTER 9MM LUGER AUTO 147 GRAIN FULL METAL JACKET FLAT POINT PRACTICE AMMO	\$0	\$0	\$0
FEDERAL 9MM LUGER GRAIN HST DUTY AMMO	\$0	\$0	\$0
PROJECTED TOTAL	\$0	\$0	\$0

MILITARY EQUIPMENT TRAINING AND COST

Calendar Year 2022 – Military Equipment Use Training Costs

The use of certain items of military equipment and related special tactics are perishable skills that require ongoing training to maintain proficiency. While the Department conducts constant training, there is significant tactical insight and an enhanced skillset to be gained by participating in external training courses. These courses provide officers with a curriculum and exercises designed to impart knowledge, skills, and enhanced capability. The courses attended by officers can vary from year to year depending on operational needs. Funding sources for training are sourced from the existing police budget.

The following are internal training classes attended by Department members in 2022 and associated costs related to military equipment covered in the annual equipment report:

Firearms / Tactical Rifle

Course Presenter: SUSD Department of Public Safety

Course Content: 16-hour course (2 Days)

CA P.O.S.T. Certified Course provides training in the operation, application, maintenance, and use of the Agency Patrol Rifle. This course satisfies the training requirement specified in Penal Code section 33220(b) and POST regulation 1081. This course provides updated legislative content of Penal Code Section 835a PC.

Cost: N/A (In-house training - 1 student)

Rifle Red Dot Sighting System

Course Content: 8-hour course

Cost: N/A (In-house training - 6 students)

Annual Department Rifle Qualification

Course Content: 4-hour course

Cost: N/A (In-house training – All Qualified Staff)

Rifle and Low Light Training

Course Content: 4-hour course

Cost: N/A (In-house training - 6 students)



DEPARTMENT TRANSPARENCY

COMMUNITY COMPLAINTS/CONCERNS/COMMENTS

In some instances, the application and use of military equipment may cause questions and/or concerns for members of the community. It is vitally important that the Department address questions from community members regarding the application and use of military equipment.

The Stockton Unified School District Department of Public Safety is committed to full and fair investigations of community member complaints. As such, the Department has sound internal procedures for thorough and impartial investigations of community complaints. Resolving complaints in a fair, impartial, and expeditious manner will ensure a consistently high level of integrity and efficiency maintained by the Stockton Unified School District Department of Public Safety.

The following is a summary of formal investigations, including officer-involved shootings and the use of military equipment, as investigated by the Stockton Unified School District Department of Public Safety's Internal Affairs Division from April 26, 2022, through January 31, 2023.

Complaints or Concerns:

The Stockton Unified School District Department of Public Safety's Military Equipment Coordinator inspected all reported complaints and concerns from April 26, 2022, through January 31, 2023. The results of the inspection found zero (0) complaints or concerns related to the use of military equipment.

Officer-Involved Shootings (OIS):

There were zero (0) OIS incidents that occurred involving the use of military equipment from April 26, 2022, through January 31, 2023.

INTERNAL AUDIT

California Assembly Bill 481 requires local law enforcement agencies to include the results of any internal audits or inspections conducted and any responsive actions in their annual military equipment use report. When an audit is conducted, inspectors shall refer to the department's military equipment use policy for established guidelines regarding funding, acquisition, or use of military equipment.

The duty of auditing the Stockton Unified School District Department of Public Safety's military equipment use has been assigned to the Department's Military Equipment Coordinator.

Internal Audit Results

The Military Equipment Coordinator conducted a total of one (1) audit related to the department-approved military equipment use from April 26, 2022, through January 31, 2023.

The detail and results of each audit are listed below:

AUDIT - The Military Equipment Coordinator completed an audit of Department military equipment.

The scope of the audit included inspecting equipment type, quantity, verification of serial numbers, and any noted discrepancies compared to the Stockton Unified School District Department of Public Safety Military Equipment Use Policy.

FINDINGS - During the course of the Military Equipment Use Audit, the Coordinator found zero (0) discrepancies in equipment type, quantity, and verification of serial numbers, in accordance with the military equipment inventory of the Stockton Unified School District Department of Public Safety Military Equipment Use Policy.

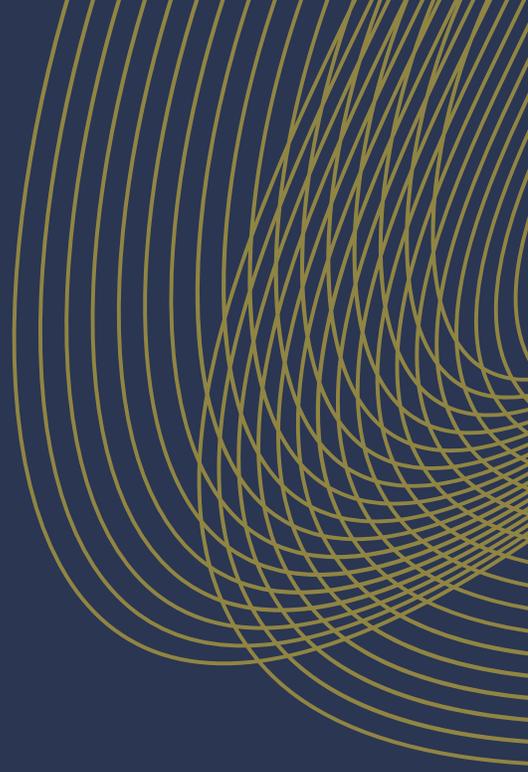
CONCLUSION

The acquisition and use of military equipment in our communities may impact the public's safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in the local government's decision to fund, acquire, or use such equipment. When making decisions regarding how military equipment is funded, acquired, or used, the Stockton Unified School District Department of Public Safety gives strong consideration to the public's welfare, safety, civil rights, and civil liberties.

In a continued effort for greater transparency, the Stockton Unified School District Department of Public Safety places high regard on meaningful public input in the use of military equipment in our community, in an effort to increase the safety of the public. Any member of the public can submit a question or concern regarding military equipment use by email at susdpolice@stocktonusd.org. The Department will provide a timely response to the community's questions and concerns regarding the use of military equipment.

Once the complaint is received, it should be routed in accordance with the Stockton Unified School District Department of Public Safety General Order 220.01 (Personnel Complaints). The Stockton Unified School District Department of Public Safety takes complaints seriously. Any member of the public can submit a complaint and in any form (i.e., in person, telephone, email, etc.). Should you wish to file a complaint, please provide us with all available details so that we can thoroughly investigate the matter.

**QUESTIONS?
COMMENTS?
CONCERNS?**



CONTACT US

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DEPARTMENT OF PUBLIC SAFETY

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