

2023

AB 481 Annual Report

Military Equipment Acquisition and Use



FOOTHILL-DE ANZA
COMMUNITY COLLEGE DISTRICT
Police Department
6/3/2024



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MESSAGE FROM THE CHIEF

Foothill-De Anza Community College District Police Department is pleased to release the annual Assembly Bill (AB) 481 Report, for the 2023 calendar year. This report is one of several annual reports aimed at increasing the department's transparency to the community. These reports are a vital component of the work between the Foothill-De Anza Police Department and the community's stakeholders.



The primary goal of Foothill-De Anza Police Department is to create a learning environment in which the safety of faculty, staff, and students is the first priority. As members of this diverse community, we all share the responsibility to collaboratively work together to maintain the safest environment possible.

We are a fully accredited, Commission on Police Officer Standards and Training (POST) participating agency within the State of California whose authority is granted from Section 830.32 of the California Penal Code. Police services are available every calendar day of the year to protect all persons and property throughout the district. We embody a community-oriented approach to solving problems and enforcing laws.

In addition to law enforcement services, the Police Department provides other services such as crime prevention tips, safety escorts, outreach and training events, vehicle battery boosts, assistance with vehicle lockouts and safety programs. The Foothill-De Anza Police Department maintains two stations, the locations of which are shown below. You can also connect to our website at <https://police.fhda.edu>.

Foothill College, Campus Center
Room #2103
12345 El Monte Road
Los Altos Hills, CA 94022

De Anza sub-station
Hinson Campus Center, Lower Level
21250 Stevens Creek Boulevard
Cupertino, CA 95014

A safe and welcoming campus requires mutual cooperation, shared responsibility, respect, and integrity. Let's each do our part to foster a supportive and safe environment for all.

Danny Acosta,
Chief of Police

DISTRICT POLICE DEPARTMENT

The Foothill-De Anza Community College District Police Department provides law enforcement services for the district from 6 a.m. to 12 a.m. (midnight) seven days a week at the Foothill College and De Anza College campuses. Patrol operations are managed by Sergeants and staffed with ten full-time police officers working ten hour shifts. The Santa Clara County Sheriff's Office provides police services from 12 a.m. (midnight) to 6 a.m.



Our mission is to provide safety and security by protecting the college community and its resources. This is effectively achieved through community engagement and partnerships. Through our close, professional working relationship with the Santa Clara County Sheriff's Office (which provides service in Cupertino and Los Altos Hills), Foothill-De Anza Police Officers are available to render aid to the Sheriff's Office for calls surrounding the Foothill and De Anza campuses.

To fulfill the responsibility of providing public safety and security for Foothill and De Anza Colleges, we utilize a multifaceted approach. The Police Department uses vehicular, motorcycle, bicycle, and foot patrols for high visibility. Our full-service department balances reactive responses to criminal incidents and emergencies with a proactive focus on reducing or preventing criminal activity that may compromise public safety and security.

The Foothill-De Anza Police Department is a full-service law enforcement agency, employing sworn police officers whose law enforcement authority is granted under Section 830.32 of the California Penal Code. The authority of these officers extends anywhere within the State of California. The Police Department also employs non-sworn community service officers and police student aides.

The Foothill-De Anza Community College District Board of Trustees created the District Police Department in 2001 by combining the Foothill College Police Department and the De Anza Campus Safety and Security Department. The current department operates in accordance with district board policy 6870, Police Department and 3321 Local Law Enforcement. Education Code 72330 et seq., authorizes the district to create and maintain a college district police department.



Foothill-De Anza Police Core Values

P.R.I.D.E.

PROFESSIONALISM - We are dedicated to training, education, and individual self-discipline.

RESPECT - We treat all persons with dignity and in a courteous manner, exhibiting understanding of ethnic and cultural diversity, both in our professional and personal endeavors.

INTEGRITY - Integrity is the foundation of the Foothill-De Anza Community College District Police Department. We maintain the highest standards of ethical conduct in all relations.

DUTY - We provide quality service in an efficient and accessible manner. We treat each event and citizen interaction as though the entire success of the department rests upon our performance.

EQUITY - We respond to all people impartially, with consideration and compassion. We are equally responsive to the needs of our faculty, staff, students, and the community we serve.

EXECUTIVE SUMMARY

Background

In September of 2021, the State of California enacted [Assembly Bill 481](#), which requires a law enforcement agency to obtain approval of the applicable governing body, prior to taking certain actions relating to the funding, acquisition, or use of military equipment and requires an annual review for the continued use of military equipment.

In enacting AB 481, the California Legislature found and declared the following:

1. The acquisition of military equipment and its deployment in our communities adversely impacts the public's safety and welfare, including increased risk of civilian deaths, significant risks to civil rights, civil liberties, and physical and psychological well-being, and incurring of significant financial costs. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities.
2. The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment.
3. Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.
4. Legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.
5. The lack of a public forum to discuss the acquisition of military equipment jeopardizes the relationship police have with the community, which can be undermined when law enforcement is seen as an occupying force rather than a public safety service.

To address these concerns, AB 481 requires every law enforcement agency to do the following:

- Create a military use policy.
- Obtain approval of that policy by each agency's applicable governing body.
- Publish that policy 30 days prior to the above required approval hearing.
- Create an Annual Report of each agency's military equipment use.

- Hold a community engagement meeting within 30 days of submitting/publicly releasing the above Annual Report.

The Foothill-De Anza Community College District Police Department has fulfilled the above requirements by creating Police Department Duty Manual Military Equipment Use Policy 706, obtaining approval from the Board of Trustees, publishing that policy 30 days prior to the Board meeting, providing an online resource for community complaints/engagement, and assigning responsibility for the required Annual Report.

Definitions

Pursuant to AB 481, the following definitions are applicable to the Foothill-De Anza Community College District Police Department's current military equipment inventory and potential military equipment acquisitions for operational needs. For a more detailed list of "military equipment" definitions, refer to California Government Code sections 7070(c)(1) through (16).

Governing Body: In our district, the "governing body" refers to the Foothill-De Anza Community College District Board of Trustees.

Military equipment means any wide variety of items as defined by California Government Code Section 7070, subsections (c)(1) through (c)(16) to include:

- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
- "Military equipment" does not include general equipment not designated as prohibited or controlled by the Federal Defense Logistics Agency.

Military Equipment Use Policy refers to Foothill-De Anza Community College District Police Department Policy 706 and means a publicly released, written document governing the use of military equipment by the Department that addresses 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. 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. Legal and procedural rules that govern each authorized use.

5. Training, including any course required by the Commission on Peace Officer Standards and Training (POST).
6. Ensuring compliance, including obtaining approval from the governing body.

INVENTORY

Less Lethal Shotgun

Description: Remington 870, 12 Gauge Less Lethal Impact Munitions Launcher

Quantity: 4

Capability: Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round (CTS-2581).

Life Span: 25 years

Initial Cost: \$950 per shotgun

Re-Occurring Costs: \$0

Maintenance Costs: Annual maintenance is approximately \$50 for each shotgun.

Year Obtained: 2006, 2008

Manufacturer's Description: The Remington 870 Police pump-action shotgun is a rugged 12 gauge with a short, tactical 18" barrel backed by a stout 3" chamber. The all-matte black gun is Parkerized for generalized durability and rust resistance. Both the pump action forend and stock are robust and tough synthetic.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Usage: Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Less Lethal Rounds

Description, model/make: 12-gauge Super-Sock Beanbag Round (CTS-2581).

Quantity: 80 rounds

Capability: A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). CTS Super-Sock rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Model 2581 Super-Sock is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to "unfold" or "stabilize." The Super-Sock is an aerodynamic projectile.

Life Span: No listed expiration date (5-year warranty).

Initial Cost: \$6 per round

Re-Occurring Costs: Annual training \$250

Maintenance Costs: \$0

Year Obtained: 2021

Manufacturer's Description: The Model 2581 Super-Sock is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to "unfold" or "stabilize." The Super-Sock is an aerodynamic projectile and its accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Super-Sock is first in its class providing the point control accuracy and consistent energy to momentarily incapacitate violent, non-compliant subjects. Effective range is 75 feet.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Usage: Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Summary for 2023

Less Lethal Shotgun and Rounds

Equipment usage:	None	
Complaints or concerns received:	None	
Violations of Foothill-De Anza Police Department Policy 706:		None
Internal audits:	N/A	
Actions taken:	N/A	

INQUIRY, COMPLAINT PROCESS

Inquiries

Inquires may be made in the following ways:

- In person at either Foothill or De Anza police stations:

FOOTHILL MAIN STATION:
Campus Center, Room 2103
12345 El Monte Road
Los Altos Hills, CA 94022

DE ANZA SUBSTATION:
Hinson Campus Center, Lower Level
21250 Stevens Creek Blvd
Cupertino, CA 95014

- By telephone to Foothill-De Anza Police non-emergency (650) 949-7313
- By e-mail to police@fhda.edu
- By mail to:

FOOTHILL-DE ANZA POLICE DEPARTMENT
12345 El Monte Road
Los Altos Hills, CA 94022

Complaints

If you wish to make an allegation of misconduct against a member of the Foothill-De Anza Community College District Police Department related to the use of military equipment, you may register your complaint the following ways:

- In person at either Foothill or De Anza police stations
- Online through our [Submit a Complaint Form](#)
- By telephone to Police non-emergency (650) 949-7313
- By e-mail to police@fhda.edu
- By mail to:

FOOTHILL-DE ANZA POLICE DEPARTMENT
12345 El Monte Road
Los Altos Hills, CA 94022

The Department will investigate any noncompliance with the Military Equipment Use Policy in accordance with Section 832.5 of the California Penal Code, which sets mandatory provisions for complaints made on peace officers as defined by California Penal Code 832.

Any violation of policy or law will be investigated accordingly and reported in the Foothill-De Anza College Police Department Annual Military Equipment Use Report.

Appendix A

IMPORTANT TELEPHONE NUMBERS

EMERGENCY

9-1-1

CELL PHONES FOR ON-CAMPUS EMERGENCIES ONLY

408-924-8000

FOOTHILL-DE ANZA POLICE DEPARTMENT - BUSINESS

650-949-7313

FOOTHILL-DE ANZA POLICE DEPARTMENT – RECORDS

650-949-7513

FOOTHILL-DE ANZA POLICE DEPARTMENT – LIVE SCAN
(Fingerprinting)

650-949-7925

FOOTHILL-DE ANZA POLICE DEPARTMENT – FAX

650-941-4963

Appendix B

SOCIAL MEDIA LINKS

Website – <https://police.fhda.edu/>

Twitter – **@FHDA_Police**

Facebook – **@FHDAPolice**

Instagram - **@fhdapolice**

