

STAFF REPORT

DATE: August 21, 2014
TO: City Council
FROM: Landy Black, Police Chief
SUBJECT: Police Department Acquisition of a Surplus Military Armored Vehicle Via the 1033 Program – Information Report

Recommendation

Informational

Fiscal Impact

Anticipated cost neutral

Council Goal(s)

Public Safety

Background

This staff report provides information about the Police Department's recent acquisition of a piece of surplus military equipment – an armored rescue vehicle – via the federal 1033 Program, and the manner in which it will be employed.

In 2009, the Davis City Council issued Resolution 09-033 renewing authorization for the Davis Police Department to acquire surplus federal/military equipment suitable for use in conventional law enforcement activities through the 1033 Program of the Defense Logistics Agency, Law Enforcement Support Office (DLA/LESO). The 1033 Program was established to convert/re-purpose surplus federal/military equipment to local law enforcement use. The program is administered here in California by the Office of Emergency Services (OES).

Even though the vehicle request was submitted in May 2012, it was two weeks ago, through that 1033 Program, that Davis Police Department received – for free – a low mileage, well maintained, armored rescue vehicle that will enable the Department to be better prepared for and capable of handling any number of potential circumstances involving citizens and police in Davis or at UCD coming under hostile, small arms fire; especially circumstances such as school/university/mall-based mass-shooting (“active-shooter”) incidents. The vehicle, valued at \$689,000, is known by its military acronym, “MRAP” (Mine Resistant, Ambush Protected). It is one of the smaller versions of armored vehicle the military had been employing in Afghanistan.

While one feature of the vehicle is its mine resistance capabilities, it was acquired because its ambush (ballistic) protection makes it the perfect platform to perform rescues of victims and potential victims during active-shooter incidents, and to more safely deliver officers into active-shooter incidents, barricaded hostage crises, and/or other or environments involving armed offenders. It is important to note that there is currently no law enforcement specific, mass-marketed vehicle with the same ballistic properties, and these vehicles are now becoming

available for, and are being put into use by police departments because of the low costs associated with obtaining them in comparison to purchasing specially made, ballistic protective vehicles. Also important to note – these vehicles are not intended for offensive use, like armored artillery or a tank is; they are intended to protect occupants from gunfire or hazards – they are for rescues and occupant protection. Without this or a similar vehicle, the Davis Police Department is unable to respond into an active-live fire situation to either perform extraction, rescue, or threat elimination without exposing officers and any involved persons to extreme risk.

As with all new equipment, procedures, and strategies adopted by the Department, operating guidelines and procedures will be developed and maintained to ensure proper and well-purposed uses, consistent with City, Department, and community philosophy. All staff who would be potential users will be trained in the proper use of this piece of equipment. Uses and limitations under consideration:

- Rescue and Extraction
 - The removal of downed or injured officers or citizens in a hazardous or hostile environment.
- Transportation of Personnel
 - The transportation or insertion of SWAT personnel into an inner perimeter position.
- Transportation of Equipment
 - Delivery of equipment such as a throw phone, loud speaker, etc. into the inner perimeter of a tactical incident.
- Provide “Hard Cover”
 - By use of ballistic capabilities, provide cover and/or observational positions.
- Tactical Medic Response
 - Transport and provide ballistic protection to Tactical Medics

The use of an armored vehicle by the Davis Police Department SWAT Team is not new. The Davis Police Department and the West Sacramento Police Department have been running a joint SWAT Team for over 10 years. Since 1998 the West Sacramento Police Department has had in its inventory a Military surplus “Peacekeeper” Armored Rescue Vehicle, which has been used by the Team in all operations. The vehicle has never been used in any sort of public demonstration or protest, and neither the Davis Police Department nor the West Sacramento Police Department has ever received any complaints about overuse or improper use of the vehicle. The problem with the Peacekeeper is that it is a 1990 manufactured armored vehicle which is outdated technology and has experienced extensive mechanical break downs, including one where two SWAT personnel were stranded inside the vehicle during a deployment. Additionally, the armored protection the Peacekeeper provides is dated and it will not to stop commonly purchased/used rifle munitions.

Use of the newly acquired rescue vehicle is anticipated to be cost neutral. Davis currently owns a converted ambulance, with no ballistic protection capabilities, for SWAT use. Although the vehicle can carry personnel and equipment, it offers no ballistic protection. The converted ambulance will be removed from the fleet and it will be replaced by the newly acquired vehicle. The ambulance’s annual maintenance cost of about \$4,500 is expected to cover routine maintenance of the new vehicle, and replacements parts, such as tires, are available – for free – through the 1033 program. There may be some specialty maintenance required form time to time that will require additional training of mechanics or contract maintenance for which the

Department is prepared to pay for with its operating budget if necessary. The joint SWAT Team has other vehicles available for use on operations where ballistic protection is not needed or inappropriate (such as demonstrations or civil disorder not involving deadly circumstances). Training costs would be soft-dollar and part the usual and ongoing proficiency training police staff undergo already. There is no anticipated hard-dollar cost increase associated with the training.

There have been several recent, well-documented cases where SWAT teams and Police Departments have used armored rescue vehicles as tools to protect the public and law enforcement personnel:

- On October 26, 2013, the Roseville Police Department was involved in a running gun battle with a suspect who shot two police officers and took a family hostage. During this protracted incident, the use of 4 regional Armored Rescue Vehicles was instrumental in safely taking the armed suspect into custody. Importantly, the Davis/West Sacramento SWAT Team actually responded to this incident in the Peacekeeper and exchanged gunfire with the suspect.
- On July 16, 2014, the Stockton Police Department utilized a Bear Cat, Armored Rescue Vehicle (similar to an MRAP) to end a nearly hour long pursuit in which heavily armed bank robbery suspects shot high powered rifles at innocent civilians and police officers.
- On August 18, 2014, the Los Angeles Police Department was involved in a pursuit of two heavily armed suspects who repeatedly fired on officers with high powered rifles striking one officer. A civilian model Bear Cat armored rescue vehicle was utilized to take the armed suspects into custody. L.A.P.D supervisors reported that the armored rescue vehicle was an essential tool that allowed officers to be protected while taking the heavily armed suspects into custody.

The 1033 Program has been in existence since the 1990's, and over much of that time, the Police Department has acquired, for free from the federal government, a number of pieces of surplus equipment; equipment valuable to conventional policing efforts here in Davis, and as part of the regional law enforcement support role that we play. Following is list of the equipment acquired via the 1033 Program:

- 1995 - 50 pair of Binoculars
- 1996 – 60 sets of Body Armor, Fragment (no longer in use)
- 1995 - 119 Riot Helmets (many unserviceable – cannibalized to create usable inventory)
- 1995 – 1 Shelter
- 1995 – 1 printer
- 1995 – 258 Camouflage Net (used for sun canopy at old range)
- 2008 – 8 M16A1 Rifles (training only)
- 2008 – 7 M14 Rifles (training only)
- 2014 – 1 Armored Vehicle – MRAP