

### City of Manteca Policy and Annual Report Regarding Use of Military Equipment – AB 481<sup>1</sup>

#### SECTION 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

#### SECTION 2. DEFINITIONS

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

**Governing body** – The elected or appointed body that oversees the Manteca Police Department (MPD), in this case the City Council.

**Military equipment** – Includes but is not limited to the following:

- 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).

---

<sup>1</sup> The policy is based on a draft policy by Lexipol, and has been amended per local and state law and practices.

## ATTACHMENT 2

- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

### SECTION 3. POLICY

It is the policy of the Manteca Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

### SECTION 4. MILITARY EQUIPMENT COORDINATOR

The Chief of Police of the Manteca Police Department shall designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- a. Acting as liaison to the governing body for matters related to the requirements of this policy.
- b. Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- c. Conducting an inventory of all military equipment at least annually.
- d. Collaborating with any allied agency that may use military equipment within the jurisdiction of Manteca Police Department (Government Code § 7071).
- e. Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  1. Publicizing the details of the meeting.
  2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- f. Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- g. Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

### SECTION 5. MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying Military Equipment:

#### 1. Armored Vehicles:

Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

## ATTACHMENT 2

### a. Description, quantity, capabilities, and purchase cost

i. THE ARMORED GROUP, BALLISTIC ARMORED TACTICAL TRANSPORT (BATT),

COST:

\$300,000, quantity: 1. The BATT, is an armored vehicle that seats 10-12 personnel with

open floor plan that allows for rescue of down personnel. It can stop various projectiles,

which provides greater safety to citizens and officers beyond the protection level of shield

and personal body armor.

### b. Purpose

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.

### c. Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment.

### d. Lifespan

BATT, approximately 25 years.

### e. Fiscal Impact

Annual maintenance cost of approximately \$5,000.

### f. Training

All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.

### g. Legal and Procedural Rules

It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

### 2. 37 & 40MM Launchers and Rounds:

37 & 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds and CS gas.

#### a. Description, quantity, capabilities, and purchase cost

i. DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1425, cost: \$1000, quantity: 1. The 40MM Single Launcher is a tactical single shot launcher that features an adjustable Integrated Front Grip (IFG) with top picatinny rail for optic mounting. It will fire standard 40mm less lethal ammunition. It will launch a 40MM less lethal round up to 131 feet and is only authorized to be used by SWAT personnel.

ii. PENN ARMS, SL6-37MM ROTARY LAUNCHER, cost: \$1100, quantity: 2. The 37mm rotary launcher features a double action trigger, trigger lock push button and chamber out-of-line safeties. 9-inch rifled bore, iron front post and rear groove sights and is only authorized to be used by SWAT personnel.

iii. DEFENSE TECHNOLOGY, FERRETT 40MM POWDER BARRICADE ROUND, #2292, cost: \$22, quantity: 10. A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.

#### b. Purpose

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

#### c. Authorized Use

## ATTACHMENT 2

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

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

### d. Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by POST certified less lethal and chemical agents instructors.

### e. Lifespan

Defense Technology #1425- 25 years.

Defense Technology #1440- 15 years.

Model 2292 Powder Barricade Penetrator round- 5 years.

### f. Fiscal Impact

Annual maintenance is approximately \$50 for each launcher.

### g. Legal and Procedural Rules

It is the policy of the MPD to utilize the 37 & 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

## 3. **Less Lethal Launcher:**

Less Lethal Launcher is used to deploy the less lethal 12-gauge Drag Stabilized Beanbag Round.

### a. Description, quantity, capabilities, and purchase cost

- i. REMINGTON 870 LESS LETHAL LAUNCHER, cost: \$621, quantity: 16.

The Remington 870

Less Lethal Shotgun is used to deploy the less lethal 12-gauge Drag Stabilized Beanbag

Round up to a distance of 75 feet. The range of the weapon system helps to maintain space

between officers and a suspect reducing the immediacy of the threat which is a principle of

De-escalation.

## ATTACHMENT 2

ii. DRAG STABILIZED 12-GAUGE BEAN BAG ROUND, cost: \$4.80, quantity: 60. The

12=Gauge Drag Stabilized round is comprised of a translucent 12-Gauge shell loaded with a

40 gram, tear shaped bag made from cotton and ballistic material blend and filled with #9

shot. This design utilizes four (4) stabilizing tails. The 12-Gauge drag stabilized round

utilizes smokeless powder as the propellant. Drag Stabilized 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 20 feet. The maximum effective range of this munition is up to 75

feet from the target.

### b. Purpose

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

### c. Authorized Use

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

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

### d. Lifespan

Remington 870 Less Lethal Launcher- 25 years.

Drag Stabilized Round- 5 years.

### e. Fiscal Impact

Annual maintenance is approximately \$50 for each shotgun.

### f. Training

## ATTACHMENT 2

All officers are trained in the 12 gauge less lethal launcher as a less lethal option by in-service training.

### **g. Legal and Procedural Rules**

It is the policy of the MPD to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

### **4. Distraction Devices:**

A distract device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

#### **a. Description, quantity, capabilities, and purchase cost**

i. DEFENSE TECHNOLOGY 12-GRAM RELOAD DISTRACTION DEVICE, cost: \$32, quantity: 32.

A non-bursting, non-fragmenting distraction device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspect during assaults, hostage rescue, room entry or other high-risk arrest situations. The distraction device produces 175 dB of sound output at 5 feet and 6-8 million candelas for 10 milliseconds.

#### **b. Purpose**

To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-

term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

#### **c. Authorized Use**

Diversionsary Devices shall only be used:

- i. By officers who have been trained in their proper use.
- ii. In hostage and barricaded subject situations.
- iii. In high risk warrant (search/arrest) services where there may be extreme hazards to officers.
- iv. During other high-risk situations where their use would enhance officer safety.
- v. During training exercises.

**d. Lifespan**

Until used.

**e. Fiscal Impact**

No annual maintenance.

**f. Training**

Prior to use, officers must attend divisionary device training that is conducted by Post certified instructors.

**g. Legal and Procedural Rules**

It is the policy of the MPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**5. Rifles:**

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.

**a. Description, quantity, capabilities, and purchase cost**

i. REMINGTON 700 .308 CALIBER RIFLE, cost: \$2,500, quantity: 2. The Remington 700 with a

Bartlein 18" barrel, chambered in .308. Highly accurate and durable bolt-action rifle. The rifles

have KRG Bravo Chassis with Triggertech triggers, Badger Ordnance precision ground,

oversized recoil lug, oversized bolt knob, and steel scope base.

ii. HORNADY TAP URBAN, .223 CALIBER, 60 GRAIN RIFLE ROUND, cost: \$125 per case of 200,

quantity: 17 cases. Hornady TAP Urban offers high velocity and performance similar to that of

other polymer tipped Hornady .223 bullet. The 60 gr. Bullet offers similar retained weight and

penetration to the 55 gr. TAP Urban, and is the heaviest polymer tipped bullet acceptable for



## ATTACHMENT 2

1:12" twist weapons. The heavier 60 gr. bullet transfer more energy to the target.

iii. HORNADY MATCH TAP PRECISION .308 CALIBER, 155 GR ELD RIFLE ROUND, cost: \$195

per case of 200, quantity: 14 cases. Hornady Match TAP Precision ammunition was designed as

an improvement on the 155 gr. A-MAX TAP Precision load by incorporating the new ELD Match

bullet. The 155 gr. ELD Match bullet with Heat Shield tip delivers the excellent terminal

performance TAP Precision is known for, but features a resilient, heat resistant polymer tip that

improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift,

and more energy on target.

iv. HORNADY TAP URBAN .308 CALIBER, 110 GR RIFLE ROUND, cost: \$195 per case of 200,

quantity: 4 cases. Hornady 110 TAP Urban provides the police marksman a unique bullet that

demonstrates rapid expansion, fragmentation and low retained weight. The 110 gr. TAP Urban

bullet offers the least penetration in ballistic gelatin and lower felt recoil as compared to heavier

TAP loads. The 110 gr. Bullet demonstrates similar penetration to the 223 Rem 75 gr. BTHP

bullet, but with substantially more temporary and permanent cavity and fragmentation, proving

itself an excellent choice for high collateral risk environments.

v. HORNADY TAP HEAVY BARRIER .308 165 GR BARRIER RIFLE ROUND, cost: \$195 per case of

200, quantity: 3 cases. Hornady TAP Barrier is constructed of a monolithic copper alloy. It shoots

cleaner than pure copper, fouls less and delivers devastating terminal performance. The Barrier

bullet penetrates heavy barriers such as 1' laminated glass with exceptional weight retention while

still delivering superior terminal performance.

### **b. Purpose**

To be used as precision weapons to address a threat with more precision and/or greater

## ATTACHMENT 2

distances than a handgun, if present and feasible.

### c. Authorized Use

Only members that are POST certified are authorized to use a rifle.

### d. Lifespan

Remington 700 .308- 15 years.

HORNADY TAP URBAN .223- no expiration.

HORNADY MATCH TAP PRECISION .308- no expiration.

HORNADY TAP HEAVY BARRIER .308- no expiration.

HORNADY 100 TAP URBAN .308- no expiration

### e. Fiscal Impact

Annual maintenance is approximately \$100 for each rifle.

### f. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle.

Additionally, all members that operate any rifle are required to pass a range qualification two times a year.

### g. Legal and Procedural Rules

It is the policy of the MPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

## 6. **Chemical Agent and Smoke Canisters:**

Canisters that contain chemical agents that are released when deployed.

### a. Description, quantity, capabilities, and purchase cost

i. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE GRENADE, CS,

#1082, cost: \$26, quantity: 8. The Riot Control CS Grenade is designed specifically for outdoor use or with the use of a burn safe, in crowd control situations with a high volume continuous burn

## ATTACHMENT 2

that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive.

ii. DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS GRENADE, #1032, cost \$36, quantity: 9. The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.

### **b. Purpose**

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

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

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

## ATTACHMENT 2

### c. Authorized Use

Only officers who have received POST certification in the use chemical agents or are under the direct supervision of a POST certified trainer are authorized to use chemical agents.

### d. Training

Sworn members utilizing chemical agent canisters are certified by POST chemical agent instructors or receive yearly training from a POST chemical agent instructor and are under the supervision of a POST chemical agent instructor. (This does not include the use of Oleoresin Capsicum (OC) spray.)

### e. Lifespan

5 years from manufacturing date.

### f. Fiscal Impact

No annual maintenance.

### g. Legal and Procedural Rules

It is the policy of the MPD to utilize chemical agent and smoke canister only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

## 7. **PepperBall Launcher:**

A device that discharges irritant projectiles.

### a. Description, quantity, capabilities, and purchase cost

i. PepperBall FTC, cost: \$900, quantity 2. The Full Tactical Carbine (FTC) is a high-capacity, semi-automatic launcher that is perfect for crowd management and mobile field force operations, Reliable and accurate, it features a hopper that can hold up to 180 round and a flexible air source configuration.

## ATTACHMENT 2

ii. PepperBall LIVE PROJECTILE, cost: \$2 per projectile, quantity 350. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 0.5% PAVA Powder.

### **b. Purpose**

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

Situations

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

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

### **c. Authorized Use**

Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.

### **d. Training**

Sworn members utilizing PepperBall launchers and projectiles are trained in their use by POST certified less lethal and chemical agents instructors.

### **e. Lifespan**

- i. PepperBall FTC- 15 years
- ii. PepperBall Live Projectile- 3 years

### **f. Fiscal impact**

Annual maintenance is approximately \$50 for each PepperBall launcher.

### g. Legal and Procedural Rules

It is the policy of the MPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

### 8. Unmanned Aircraft System (UAS):

An unmanned aircraft along with the associated equipment necessary to control it remotely.

#### A. Description, quantity, capabilities, and purchase cost of current UAS:

- Autel EVO II, cost: \$7,500 each, quantity: 2. UAS that has a color and inferred camera. Capable of video recording and weighs 899 grams, approx. 30 minutes of flight time.
- DJI MAVIC ENTERPRISE DUALS, cost: \$7,500 each, quantity: 2. UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording and weighs 899 grams, approx. 30 minutes of flight time.
- DJI M3T, cost: \$8,500 each, quantity: 3. UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording, approx. 30 minutes of flight time.
- DJI M30T, cost: \$10,000 each, quantity: 2. UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording, approx. 40 minutes of flight time.
- DJI Avata 2, cost: \$1500 each, quantity: 3. Miniature UAS that weighs approximately 377 grams and is able to record video and audio with approximately 25 minutes of flight time.
- DJI M210, cost: \$25,000 each, quantity: 1. UAS that has 40 minutes of flight time, has an IR camera, zoom camera and light. Has video recording capabilities.
- DJI Phantom 4 PRO, cost: \$1500, quantity: 1. UAS that weighs approx. 1.5 pounds, 25 min flight time and a single-color camera with recording capabilities.
- BRINC Lemur, cost: \$17,000, quantity: 1. Indoor UAS weighing under 5 pounds, 25 min flight time and a single-dual camera for visual and infrared light.

#### B. Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

- i. major collision investigations.
- ii. search for missing persons.
- iii. natural disaster management.
- iv. crime scene photography.
- v. SWAT, tactical or other public safety and life preservation missions.
- vi. In response to specific requests from local, state or federal fire authorities for fire response and/or prevention.

### C. **Authorized Use**

Only assigned operators who have completed the required training shall be permitted to operate the UAS during approved missions.

### D. **Expected Life Span**

All UAS equipment, 3-5 years.

### E. **Fiscal Impact**

Annual maintenance and battery replacement cost is approximately \$2000-\$3000.

### F. **Training**

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must pass an in house flight school.

### G. **Legal and Procedural Rules**

It is the policy of the MPD to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

## 9. **Robots:**

Unmanned machine operating on the ground utilized to enhance the safety to the community and officers.

## ATTACHMENT 2

### A. **Description, quantity, capabilities, and purchase cost**

iCore Mini, cost: \$75,000 each, quantity: 1. The iCore Mini can be hand carried or transported inside a rucksack, and both can be remotely operated from many hundreds of meters away, providing protection and safety to their operators.

### B. **Purpose**

To be used to remotely gain visual/audio data, deliver HNT phone, open doors, disrupt packages, and clear buildings.

### C. **Authorized Use**

Only assigned operators who have completed the required training shall be permitted to operate the robots identified above. Use is established by the Bomb Squad Commander and or Incident Commander.

### D. **Expected Life Span**

All robots, 8-10 years.

### E. **Fiscal Impact**

Annual maintenance and battery replacement cost is approximately \$1,000.

### F. **Training**

Only assigned operators who have completed the required training shall be permitted to operate the robots identified above.

### G. **Legal and Procedural Rules**

It is the policy of the MPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

## 10. Explosive Breaching Tools:

Tools that are used to conduct an explosive breach.

### A. **Description, quantity, capabilities, and purchase cost**



## ATTACHMENT 2

- DETONATING CORD, cost: \$1 per foot, quantity: 750 feet. The detonating cord is a thin, flexible plastic tube usually filled with pentaerythritol tetranitrate (PETN, pentrite). With the PETN exploding at a rate of approximately 6400 m/s, any common length of detonation cord appears to explode instantaneously. It is a high-speed fuse which explodes, rather than burns, and is suitable for detonating high explosives.
- BLASTING CAP, cost: \$12, quantity: 50. A blasting cap is a small sensitive primary explosive device generally used to detonate a larger, more powerful and less sensitive secondary explosive such as TNT, dynamite, or plastic explosive. Blasting caps come in a variety of types, including non-electric caps, electric caps, and fuse caps.

### B. **Purpose**

To safely gain entry into a structure.

### C. **Authorized Use**

Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.

### D. **Lifespan**

Blasting Caps- 10 years  
Detonating cord- 10 years

### E. **Fiscal Impact**

Annual maintenance is approximately \$1000.

### F. **Training**

All officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations.

### G. **Legal and Procedural Rules**

It is the policy of the MPD to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law.

## MAINTENANCE OF MILITARY USE SUPPLY LEVELS:

When stocks of military equipment have reached significantly low levels or have been

## **ATTACHMENT 2**

exhausted, the Department may order up to 10% of stock in a calendar year without city council approval to maintain essential availability for the Department's needs.

### **SECTION 6. APPROVAL**

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- a. Requesting military equipment made available pursuant to 10 USC § 2576a.
- b. Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- c. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- d. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- e. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- f. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- g. Acquiring military equipment through any means not provided above.

### **SECTION 7. COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

### **SECTION 8. ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

## **ATTACHMENT 2**

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

### **SECTION 9. COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.