

EXHIBIT 1

Assembly Bill No. 481

CHAPTER 406

An act to add Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, relating to military equipment.

[Approved by Governor September 30, 2021. Filed with
Secretary of State September 30, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 481, Chiu. Law enforcement and state agencies: military equipment: funding, acquisition, and use.

Existing law designates the Department of General Services as the agency for the State of California responsible for distribution of federal surplus personal property, excepting food commodities, and requires the department to, among other things, do all things necessary to the execution of its powers and duties as the state agency for the distribution of federal personal surplus property, excepting food commodities, in accordance with specified federal law. Existing law, the Federal Surplus Property Acquisition Law of 1945, authorizes a local agency, as defined, to acquire surplus federal property without regard to any law which requires posting of notices or advertising for bids, inviting or receiving bids, or delivery of purchases before payment, or which prevents the local agency from bidding on federal surplus property. Existing federal law authorizes the Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency.

This bill would require a law enforcement agency, defined to include specified entities, to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would also require similar approval for the continued use of military equipment acquired prior to January 1, 2022. The bill would allow the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The bill would require the governing body to annually review the ordinance and to either disapprove a renewal of the authorization for a type, as defined, of military equipment or amend the military equipment use policy if it determines, based on an annual military equipment report prepared by the law enforcement agency, as provided, that the military equipment does not comply with the above-described standards for approval. The bill would specify these provisions do not preclude a county or local municipality from implementing

additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

This bill would also require a state agency, as defined, to create a military equipment use policy before engaging in certain activities, publish the policy on the agency's internet website, and provide a copy of the policy to the Governor or the Governor's designee, as specified. The bill would also require a state agency that seeks to continue use of military equipment acquired prior to January 1, 2022, to create a military equipment use policy.

This bill would also include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

By adding to the duties of local officials with respect to the funding, acquisition, and use of military equipment, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) 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 incurment 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.

(b) 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.

(c) 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.

(d) 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.

(e) 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.

SEC. 2. Chapter 12.8 (commencing with Section 7070) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 12.8. FUNDING, ACQUISITION, AND USE OF MILITARY
EQUIPMENT

7070. For purposes of this chapter, the following definitions shall apply:

(a) "Governing body" means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff's department or a district attorney's office, "governing body" means the board of supervisors of the county.

(b) "Law enforcement agency" means any of the following:

(1) A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges.

(2) A sheriff's department.

(3) A district attorney's office.

(4) A county probation department.

(c) "Military equipment" means the following:

(1) Unmanned, remotely piloted, powered aerial or ground vehicles.

(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.

(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

(4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

(6) Weaponized aircraft, vessels, or vehicles of any kind.

(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters,

or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.

(8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

(9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

(11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

(12) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

(13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).

(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.

(15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

(16) Notwithstanding paragraphs (1) through (15), "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

(d) "Military equipment use policy" means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency 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 law enforcement agency or the state agency 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 officer, agent, or employee of the law enforcement agency or the state agency 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) For a law enforcement agency, 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 law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

(e) “State agency” means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(f) “Type” means each item that shares the same manufacturer model number.

7071. (a) (1) A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable, prior to engaging in any of the following:

(A) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(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 territorial jurisdiction of the governing body.

(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 pursuant to this chapter.

(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 by this paragraph.

(2) No later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with this section. If the governing body does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted pursuant to subdivision (b), within 180 days of submission of the proposed military equipment use policy to the governing body, the law enforcement agency shall cease its use of

the military equipment until it receives the approval of the governing body in accordance with this section.

(b) In seeking the approval of the governing body pursuant to subdivision (a), a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

(c) The governing body shall consider a proposed military equipment use policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(d) (1) The governing body shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

(A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(B) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

(C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

(D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(2) In order to facilitate public participation, any proposed or final military equipment use policy shall be made publicly available on the internet website of the relevant law enforcement agency for as long as the military equipment is available for use.

(e) (1) The governing body shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, subject to paragraph (2), vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(2) The governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in subdivision (d). If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth in subdivision (d), the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications

to the military equipment use policy in a manner that will resolve the lack of compliance.

(f) Notwithstanding subdivisions (a) to (e), inclusive, if a city contracts with another entity for law enforcement services, the city shall have the authority to adopt a military equipment use policy based on local community needs.

7072. (a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

(1) A summary of how the military equipment was used and the purpose of its use.

(2) A summary of any complaints or concerns received concerning the military equipment.

(3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall 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.

7073. (a) A state agency shall create a military equipment use policy prior to engaging in any of the following:

(1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(2) 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.

(3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(4) Collaborating with a law enforcement agency or another state agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, or to apply to receive, acquire, use, or collaborate in the use of, military equipment.

(7) Acquiring military equipment through any means not provided by this subdivision.

(b) No later than May 1, 2022, a state agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall create a military equipment use policy.

(c) A state agency that is required to create a military equipment use policy pursuant to this section shall do both of the following within 180 days of completing the policy:

(1) Publish the military equipment use policy on the agency's internet website.

(2) Provide a copy of the military equipment use policy to the Governor or the Governor's designee.

7074. The Legislature finds and declares that ensuring adequate oversight of the acquisition and use of military equipment is a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities and shall supersede any inconsistent provisions in the charter of any city, county, or city and county.

7075. Nothing in this chapter shall preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

SEC. 3. The Legislature finds and declares that Section 1 of this act, which adds Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

Requiring local agencies to hold public meetings prior to the acquisition of military equipment further exposes that activity to public scrutiny and enhances public access to information concerning the conduct of the people's business.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would

result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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EXHIBIT 2

Military Equipment

707.1 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).

707.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the Department.

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.
- Area denial electroshock devices, microwave weapons, water cannons, long-range acoustic devices (LRADs), acoustic hailing devices, and sound cannons.
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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707.2 POLICY

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

707.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should 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 Huntington Beach 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.

707.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

[Insert attachment here]

707.5 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):

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- (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.

707.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

707.7 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).

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.

707.8 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.

EXHIBIT 3

UNCODIFIED ORDINANCE NO. 4255

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON BEACH ADOPTING A MILITARY
EQUIPMENT USE POLICY CONSISTENT WITH
ASSEMBLY BILL NO. 481, AND MAKING A FINDING OF
EXEMPTION UNDER CEQA

WHEREAS, the City of Huntington Beach is a charter city and municipal corporation duly created and existing under a charter pursuant to which the City has the right and power to make and enforce all laws and regulations in respect to municipal affairs.

WHEREAS, the California Legislature passed, and the Governor signed, Assembly Bill 481 (AB 481), which requires City Council approval, via adoption of a "military equipment use policy" by ordinance, prior to the funding, acquisition, or use of "military equipment," as defined in the Legislation, by May 1, 2022.

WHEREAS, the Huntington Beach Police Department (HBPD) is in possession of certain items of equipment that qualify as "military equipment" under AB 481 and further intends to acquire and use other items of military equipment as critical tools to safeguard the public's health, welfare, safety, civil rights, and civil liberties.

WHEREAS, the HBPD's ability or inability to use its "military equipment" has the potential to impact the health, safety, and welfare of residents in the City, particularly as to its ability to prevent and address crime in the City. As such, and notwithstanding any argument concerning the applicability of AB 481 to charter cities, the City Council finds that there is a need to adopt a military equipment use policy in order to protect the public health, safety, and welfare to ensure that the HBPD is unable to utilize its own vital resources.

WHEREAS, the HBPD has submitted and proposed a military equipment use policy consistent with AB 481, and has made the proposed policy available on the HBPD website for at least 30 days prior to the public hearing concerning the military equipment at issue.

WHEREAS, all other legal prerequisites prior to the adoption of this Ordinance have occurred.

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1 Mandatory Findings. The City Council finds that:

- A. The military equipment inventoried in proposed HBPD Policy 706 attached hereto and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objectives of officer and civilian safety.
- B. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- C. The equipment is reasonably cost effective compared to available alternatives that can achieve the same objectives of officer and civilian safety.

SECTION 2. Military Equipment Use Policy Adopted. HBPD Policy 706 is hereby approved and adopted.

SECTION 3. Annual Council Review. The HBPD shall submit an annual military equipment report consistent with the information required by Government Code Section 7070 et. seq, and the City Council shall thereafter determine whether each type of military equipment therein complies with the standards for approval. The City Council shall, on an annual basis, review this Ordinance and vote on whether to renew its approval until such time that the Council approval provision required by AB 481 is amended, overturned, or revoked.

SECTION 4. CEQA. This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the environmental regulations of the City. The City Council hereby finds and determines that the Ordinance is exempt from CEQA under the general rule in CEQA Guidelines Section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment and because it can be seen with certainty that there is no possibility that this Ordinance will have a significant effect on the environment.

SECTION 5. Effective Date. This Ordinance shall become effective 30 days after its passage.

SECTION 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance and shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable. The City Council hereby declares it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. Certification and Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 17th day of May, 2022.



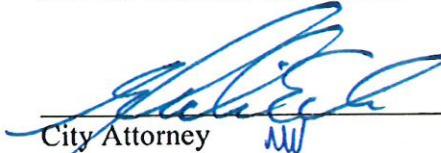
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



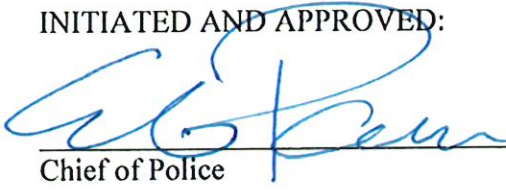
City Attorney

REVIEWED AND APPROVED:



City Manager

INITIATED AND APPROVED:



Chief of Police

Uncodified Ord. No. 4255

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **May 3, 2022**, and was again read to said City Council at a **Regular** meeting thereof held on **May 17, 2022**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, Kalmick

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on May 27, 2022.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Deputy City Clerk



City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

EXHIBIT 4

1. UNMANNED AIRCRAFT SYSTEM (UAS): An unmanned aircraft along with the associated equipment necessary to control it remotely.

a. Description, Quantity, Capabilities and Purchase Cost

- i. DJI MAVIC 3 - Cost: \$2,049 each; quantity: 1. UAS that weighs approximately 895 grams and has video recording capabilities with approximately 40 minutes of flight time.
- ii. DJI MAVIC ENTERPRISE DUAL - Cost: \$2,500 each; quantity: 1. UAS that has a color and thermal camera as well as audible speaker and light, capable of video recording and weighs 899 grams with approximately 30 minutes of flight time.
- iii. DJI MAVIC 2 ENTERPRISE - Cost: \$2,495 each; quantity: 12. UAS that has a color zoom camera as well as audible speaker and light, capable of video recording and weighs 899 grams with approximately 30 minutes of flight time.
- iv. DJI MAVIC ENTERPRISE ADVANCED - Cost: \$6,500 each; quantity: 4. UAS that has a color and thermal zoom camera as well as an audible speaker and light, capable of video recording and weighs 909 grams with approximately 31 minutes of flight time.
- v. DJI MAVIC 3 THERMAL- Cost: \$5,498 each; quantity: 2. UAS that weighs approximately 920 grams and has thermal and video recording capabilities with approximately 40 minutes of flight time.
- vi. DJI MAVIC PRO - Cost: \$1,500 each; quantity: 1. UAS that weighs approximately 899 grams and has color video recording capabilities with approximately 25 minutes of flight time.
- vii. DJI Avata - Cost: \$1,000 each; quantity 1. UAS that weighs approximately 410 grams and has an FPV color camera with approximately 18 minutes of flight time.
- viii. DJI Avata 4 – Cost: \$1,100 each; quantity 1. UAS that weighs approximately 377 grams and has an FPV color camera with approximately 23 minutes of flight time.
- ix. Skydio X10 – Cost: \$16,000 each; quantity 3. UAS that weighs approximately 2 kilograms and has day and night color/thermal cameras with zoom capabilities with approximately 40 minutes of flight time.

b. Purpose

Small Unmanned Aerial Systems are to be deployed when their view would assist officers or incident commanders with the following situations, which include, but are not limited to:

- i. Major traffic collision investigations
- ii. Evidence collection
- iii. Search for missing persons/swimmers
- iv. Crime scene photography
- v. Natural disaster management
- vi. Situational awareness during major incidents
- vii. SWAT, tactical or other public safety and life preservation missions
- viii. In response to specific requests from local, state or federal fire authorities for fire response and/or prevention.

c. Authorized Use

Only assigned UAS team members who have completed the required training and hold a valid FAA Part 107 license, shall be permitted to operate any UAS during approved missions.

d. Expected Life Span

All UAS equipment, approximately 3-5 years.

e. Fiscal Impact

Estimated annual maintenance and battery replacement cost is \$30,000. For 2024 that cost was approximately \$26,000.

f. Training

All department UAS operators are licensed by the Federal Aviation Administration for UAS operation under FAA Regulation 14 CFR Part 107. In addition, each operator must attend initial department or POST-certified training and participate in ongoing training. Training costs for 2024 were approximately \$4,500.

g. Legal and Procedural Rules

FAA Regulation 14 CFR Part 107 and the Huntington Beach Lexipol Policy section 463 (UAS Policy). It is the policy of the Huntington Beach Police Department to utilize UAS only for official purposes and in a manner that respects the privacy of our community pursuant to State and Federal law.

2. **ROBOT:** A remotely controlled, unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers.

a. **Description, Quantity, Capabilities and Purchase Cost**

- i. TRANSCEND VANTAGE TACTICAL ROBOT - Cost: \$26,000; quantity: 1. A remotely operated, tactical robot providing officers with the ability to observe the interior of a structure without entering. This capability increases the safety of community members, officers and suspects by providing the operator with the ability to observe and locate subjects without the risk of a face-to-face confrontation. Additionally, the remote, two-way communication capability allows operators to de-escalate situations by negotiating the surrender of barricaded subjects.
- ii. RECON THROWBOT TACTICAL ROBOT - Cost: \$15,000; quantity: 2. A throwable micro-robot platform that enables operators to obtain instantaneous video and audio reconnaissance within indoor or outdoor environments. This capability increases the safety of community members, officers and suspects by providing the operator with the ability to observe and locate subjects without the risk of face-to-face confrontation. This robot is portable and able to be easily carried by officers.

b. **Purpose**

To be used during tactical incidents to safely search a structure without exposing officers and/or community members to the risk of face-to-face confrontation.

c. **Authorized Use**

Tactical robots shall only be deployed by Department personnel trained in their use.

d. **Expected Life Span**

All robots, approximately 8-10 years.

e. **Fiscal Impact**

Estimated annual maintenance and battery replacement costs of \$3,000. For 2025, there were no maintenance cost.

f. **Training**

All operators shall receive initial training before deploying the robots in the field.

There were no specific training costs for 2025.

g. Legal and Procedural Rules

The Department shall only utilize the robots for official law enforcement purposes, pursuant to State and Federal Law.

3. ARMORED VEHICLES: Commercially produced, ballistically protected, wheeled vehicles designed for law enforcement purposes.

a. Description, Quantity, Capabilities and Purchase Cost

- i. LENCO BEAR - Cost: \$293,745; quantity: 1. The Lenco Bear is an armored rescue vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down civilians and personnel. It can stop various projectiles which provides greater safety to civilians and officers beyond the protection level of shields and personal body armor.
- ii. TERRADYNE GUHRKA - Cost: \$353,653; quantity: 1. The Terradyne Guhrka is an armored vehicle that seats 7-8 personnel with open floor plan that allows for rescue of down civilians and personnel. It can stop various projectiles which provides greater safety to civilians and officers beyond the protection level of shield and personal body armor. In addition, it is equipped with Advanced Lifesaving Equipment, at the level of an ambulance, to provide injured persons with an immediate, advanced level of medical treatment increasing the likelihood of reduced long-term injury or death.

b. Purpose

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, assist in resolving critical incidents, and provide immediate, advanced lifesaving medical treatment.

c. Authorized Use

Armored vehicles shall only be deployed by personnel trained in their use and in a manner consistent with Department policies and procedures.

d. Lifespan

All vehicles have an estimated lifespan of 25 years.

e. Fiscal Impact

Estimated annual maintenance costs of \$10,000. For 2025, that cost was approximately \$7,500.

f. Training

All drivers/operators shall attend formalized instruction in vehicle operations, practical driving instruction and deployment procedures. There were no specific training costs for 2025.

g. Legal and Procedural Rules

The Department shall only utilize armored vehicles for official law enforcement purposes, pursuant to State and Federal law.

- 4. MOBILE COMMAND POST VEHICLE (MCP):** A vehicle used as a mobile office that provides shelter, a communications center, access to Department computer systems and restroom facilities during extended events.

a. Description, Quantity, Capabilities and Purchase Cost

FREIGHTLINER MT55 CHASSIS (custom built by LDV) VEHICLE - Cost: \$191,000; quantity: 1. The MCP can also be utilized for SWAT/CNT and other critical incidents; preplanned, large events; searching for missing persons; natural disasters; and community events.

b. Purpose

To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.

c. Authorized Use

Only officers trained in their deployment and operations, in a manner consistent with Department policy, are authorized to operate the MCP. Only officers who have completed the California State Class B Commercial driving school and become properly licensed will be allowed to drive the MCP.

d. Lifespan

Estimated lifespan of 20 years on chassis and vehicle. Annual IT upgrades will be necessary.

e. Fiscal Impact

Estimated annual maintenance costs of \$7,500. For 2025, that cost was \$5,826.00 to purchase an upgraded toilet.

f. Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Driver/operators shall also undergo California Department of Motor Vehicles commercial vehicle testing (Class B). There were no specific training costs in 2025.

g. Legal and Procedural Rules

The Department shall only utilize the vehicle for official law enforcement purposes in accordance with California State law regarding the operation of motor vehicles.

- 5. CRISIS NEGOTIATION TEAM (CNT) VEHICLE:** A vehicle used as a mobile crisis negotiations team office that provides shelter, access to Department computer systems, and a communications center on extended events.

a. Description, Quantity, Capabilities and Purchase Cost

FORD TRANSIT VAN (custom built) VEHICLE - Cost: \$115,000; quantity: 1. The CNT vehicle can be utilized with SWAT/CNT callouts.

b. Purpose

To be utilized for critical incident callouts.

c. Authorized Use

The CNT vehicle will be used by officers and staff who have been properly trained in the safe handling of the vehicle. The driver of the vehicle shall have a valid California driver's license.

d. Lifespan

Estimated lifespan of 30 years on chassis and vehicle.

e. Fiscal Impact

Estimated annual maintenance costs of \$600. There were no annual maintenance costs for 2025.

f. Training

To be used by officers and staff who have been properly trained in the safe handling of the vehicle. The driver of the vehicle shall have a valid California driver's license. There were no specific training costs in 2025.

g. Legal Procedural Rules

The Department shall only utilize the vehicle for official law enforcement purposes in accordance with California State law regarding the operation of motor vehicles.

- 6. LONG RANGE ACOUSTIC DEVICE (LRAD):** Long Range Acoustical Device (LRAD) is a high intensity, directional acoustic array for long-range, crystal-clear hailing, notification, and an unmistakable warning tone. The LRAD is primarily used as a communication device.

a. Description, Quantity, Capabilities and Purchase Cost

LRAD 100X MAG- HS WIRELESS KIT - Cost: \$16,586; quantity: 1. Self-contained, portable, and featuring an extended voice broadcast range out to 600 meters, the LRAD 100X ensures voice messages are clearly heard and understood. LRAD's optimized driver, waveguide, and power efficiency technologies enable the LRAD 100X to provide several hours of clear, continuous communication from a single battery charge.

b. Purpose

To be used to issue dispersal orders during crowd and riot control situations or to address the public in the event of civil emergencies, natural disasters, evacuations, and police incidents (e.g., missing persons, perimeters for wanted suspects, K9 deployments, etc.). The LRAD may also be used to issue a warning tone.

c. Authorized Use

LRADs shall only be used by personnel trained in its deployment and used in a manner consistent with State and Federal law.

d. Lifespan

Estimated lifespan of 25 years.

e. Fiscal Impact

Estimated annual maintenance costs of \$400. There were no annual maintenance costs for 2025.

f. Training

All operators will receive training prior to operating the LRAD in the field. There were no specific training costs in 2025.

g. Legal and Procedural Rules

The Department shall only utilize the LRAD for official law enforcement purposes, pursuant to State and Federal law.

7. 40MM LAUNCHERS AND ROUNDS: 40mm launchers are utilized by Department personnel as a less-lethal tool to deploy less-lethal impact munitions and chemical munitions.

a. Description, Quantity, Capabilities and Purchase Cost

- i. LMT TACTICAL SINGLE SHOT LAUNCHER, #1425 - Cost: \$1,000; quantity: 57. The 40mm Single Launcher is a tactical single-shot launcher that features an integrated stock and an adjustable, integrated front grip with a top rail. It will fire standard 40mm less-lethal ammunition up to 4.8 inches in cartridge length. It will launch a 40mm less-lethal round up to 131 feet.
- ii. PENN ARMS, #1377, 40mm MULTI-LAUNCHER - Cost \$2,890; quantity: 1. The 40mm Multi-Launcher is a tactical pump advance multi-shot (6) launcher that features an integrated stock with a top rail. It will fire standard 40mm less-lethal ammunition up to 4.8 inches in cartridge length.
- iii. DEFENSE TECHNOLOGY, 40mm EXACT IMPACT SPONGE, #6325 - Cost: \$20; quantity: 270. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 345 FPS. The 30-gram foam projectile delivers 120 ft/lbs of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target. It is designed as a less-lethal option for violent people actively engaging in criminal behavior. Only members of the Department who have completed training by a POST- certified less-lethal instructor are authorized to deploy the 40mm round.

- iv. DEFENSE TECHNOLOGY, 40mm EXACT IMPACT INERT & MARKING SPONGE, #6323 - Cost: \$20; quantity: 185. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 305 FPS. The 3.8-gram foam projectile delivers 120 ft/lbs of energy on impact with inert marking agent. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target. It is designed as a less-lethal option for violent people actively engaging in criminal behavior. The marking feature is effective in identifying people who are in crowds, have the ability to flee, or who may attempt to flee from apprehension. Only members of the Department who have completed training by a POST-certified less-lethal instructor are authorized to deploy the 40mm round.
- v. DEFENSE TECHNOLOGY, FERRETT 40mm LIQUID BARRICADE PENETRATOR ROUND, #2262 - Cost: \$23; quantity: 42. 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.
- vi. COMBINED TACTICAL SYSTEMS, 4090-50 40mm AERIAL FLASH BANG. Cost: \$48; quantity 65. A launched, less-lethal distraction device that travels outward and then bursts overhead, producing a very loud bang and intense flash of light. This combination causes temporary sensory overload—disorientation, distraction, and loss of situational awareness for a few seconds.
- vii. DEFENSE TECHNOLOGY, RUBBER BALL 1098 or RUBBER BALL 1098SC with SAFETY CLIP. Cost: \$63.89; quantity 20. A handheld, less-lethal diversionary devices designed to create a loud report without producing a blinding flash or explosive fragmentation. Commonly used by law enforcement for crowd management and tactical operations, these devices function as “noise distraction” tools rather than impact munitions.

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
- vi. Tactical situations involving the deployment of the Department's SWAT Team

d. Lifespan

LMT Single Shot Launcher: 25 years
Penn Arms Launcher: 25 years
All listed munitions: 5 years

e. Fiscal Impact

Annual maintenance cost is \$50 for each launcher. For 2025, that cost was approximately \$2,500.

f. Training

Personnel deploying less lethal or chemical agents will be trained in their use and deployment before using them in the field. A POST-certified less lethal or chemical agent instructor will conduct all training. Training costs for 2025 were approximately \$1,500.

g. Legal and Procedural Rules

The Department shall only utilize 40mm launchers and rounds during critical incidents for official law enforcement purposes, pursuant to State and Federal law.

8. **COMBINED SYSTEMS LC5 TACTICAL LAUNCHING CUP:** Cups attach to 12-gauge, less-lethal shotguns allowing officers to launch canisters of chemical agents or smoke.

a. **Description, Quantity, Capabilities and Purchase Cost**

COMBINED SYSTEMS LC5 40mm LAUNCHING CUP - Cost: \$435; quantity: 2. The LC5 Launching Cups are designed for the 5200 series grenades. The cups can be attached to virtually any 12-gauge shotgun and the munition launched with our model 2600 launching cartridge.

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
- vi. Tactical situations involving the deployment of the Department's SWAT Team

d. **Lifespan**

Estimated lifespan: 25 years

e. **Fiscal Impact**

There were no annual maintenance costs for 2025.

f. **Training**

Officers utilizing the launching cups are trained by POST-certified chemical agent instructors. There were no annual training costs for 2025.

g. Legal and Procedural Rules

The Department shall only utilize 40mm launching cups for official law enforcement purposes, pursuant to State and Federal law.

- 9. NOISE FLASH DIVERSIONARY DEVICES (NFDD):** A device used to distract or divert a dangerous person's attention.

a. Description, Quantity, Capabilities and Purchase Cost

- i. COMBINED TACTICAL SYSTEMS, 7290-2 FLASH-BANG - Cost: \$70; quantity: 15. A non-bursting, non-fragmenting, multi-bang device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- ii. COMBINED TACTICAL SYSTEMS, 7290-3 FLASH-BANG - Cost: \$107; quantity: 5. A non-bursting, non-fragmenting, multi-bang device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- iii. COMBINED TACTICAL SYSTEMS, 7290-9 FLASH-BANG - Cost: \$149; quantity: 5. A non-bursting, non-fragmenting, multi-bang device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- iv. COMBINED TACTICAL SYSTEMS, 7290M MINI FLASH-BANG - Cost: \$49 quantity: 25. The 7290M Flash-Bang exhibits all the same attributes of its larger counterpart but in a smaller and lighter package. Weighing in at just 15 ounces, the new 7290M is approximately 30% lighter than the 7290 but still has the same 175 db output of the 7290 and produces 6-8 million candelas of light.
- v. DEFENSE TECHNOLOGY, 8933 LOW-ROLL RELOADABLE DIVERSION-ARY DEVICE - Cost: \$78.89; quantity: 30. A non-bursting, non-fragmenting flashbang device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

- vi. DEFENSE TECHNOLOGY, 8922CI LOW ROLL 2CI RELOADABLE DIVERSIONARY DEVICE - Cost: \$102.49; quantity: 10. A non-bursting, non-fragmenting flashbang device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- vii. DEFENSE TECHNOLOGY, 8901 RELOADS - Cost: \$39.95; quantity: 40. The 12-Gram Distraction Device reload utilizes an M201A1 fuse that was designed for use with the Distraction Device reloadable steel body.

b. Purpose

A diversionary device is used to distract dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations. Producing atmospheric overpressure 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

Diversionary 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

There were no annual maintenance costs for 2025.

f. Training

Prior to use, officers must attend diversionary device training conducted by POST-certified instructors. Training costs for 2025 were approximately \$900.

g. Legal and Procedural Rules

The Department shall only utilize NFDDs for official law enforcement purposes, pursuant to State and Federal law.

10. RIFLES AND AMMUNITION: Shoulder-fired firearms, with long, spirally grooved barrels, intended to cause projectiles to spin, improving accuracy over a long distance.

a. Description, Quantity, Capabilities and Purchase Cost

- i. DANIEL DEFENSE DDM4 V7 223/5.56 PATROL RIFLE equipped with an Aimpoint optic, tactical light, and sling - Cost: \$2,555; quantity: 58. The DDM4 V7 AR15-style firearm features M-LOK attachment technology with the Daniel Defense MFR 15.0 rail. Built around a cold hammer forged, 16-inch barrel, the V7 has a DD improved flash suppressor to reduce flash signature. The mid-length gas system provides smooth and reliable cycling under any condition and reduces both perceived recoil and wear on moving parts. With the M-LOK attachment points that run along 7 positions and an uninterrupted 1913 Picatinny rail on top, the V7 has adjustable back up iron sights. The independently ambi GRIP-N-RIP charging handle accommodates left- and right-handed shooters. This rifle also comes with the ergonomic Daniel Defense buttstock and pistol grip.
- ii. DANIEL DEFENSE SOCOM-MK18 223/5.56 SWAT RIFLE equipped with an Aimpoint optic, tactical light and sling - Cost: \$2,600; quantity: 18. The SOCOM-MK18 AR15-style firearm features a quad-rail system, cold hammer forged 10.3-inch barrel. The MK18 delivers optimal maneuverability, reliability, accuracy and terminal ballistics using a wide variety of ammunition. Its carbine length gas system provides smooth and reliable cycling under harsh conditions and reduces perceived recoil. With the quad-rail attachment points that run along 7 positions and an uninterrupted 1913 Picatinny rail on top, the MK-18 has plenty of room for sights, optics, and accessories the user may require. Pairing a 10.3-inch barrel and the quad-rail also ensures compatibility with a wide variety of muzzle devices and sound suppressors. The independently ambi GRIP-N-RIP charging handle accommodates left- and right-handed shooters. This rifle also comes with the ergonomic buttstock and pistol grip.
- iii. BUSHMASTER AR15 223./5.56 PATROL RIFLE equipped with Trijicon ACOG sight, tactical light and sling - Cost: \$2,500; quantity 4. The AR15- style firearm features the Picatinny rail cage with Bushmaster 16" barrel and mid-length gas tube system. The Picatinny rail system allows attachments of the tactical light with pressure switch, adjustable iron sights and the Trijicon ACOG 4x32 model sight system.

- iv. BUSHMASTER AR15 223./5.56 PATROL RIFLE equipped with iron sights and a sling, used strictly for the Ceremonial Detail. Cost: \$1,000, quantity 8. The AR15 rifle is in an M4 configuration with a carry handle and fixed rifle stock.
- v. GEISSELE SUPER DUTY RIFLE CHF #08-392 equipped with an Aimpoint optic, tactical light, Surefire Suppressor and sling - Cost \$3,400, quantity 90. Geissele SSA Trigger, Bolt Carrier group – 5.56 modular rail MK16 M-LOK, Geissele A22 rifle grip. Surefire CTN Warcomp flash hider. Surefire second generation SoCom suppressor for 5.56. T1 Lower. Aimpoint Micro T-2 optic. Folding front and rear sights.
- vi. ACCURACY INTERNATIONAL AT308 RIFLE, cost: \$4,700, quantity: 6. .308 Winchester (short action) 5.8kg (12.8lb) with empty magazine, no scope, 24" barrel, no muzzle brake. Fixed stock, standard adjustable cheek piece, fixed butt pad with spacers, pistol grip, flush cup spring attachment points, 20 MOA STANAG 4694/Mil Std 1913 action rail, double chamber standard muzzle brake.
- vii. REMINGTON 700 COMPACT TACTICAL RIFLE .308 – Cost: \$2,000; quantity: 1. Remington's Model 700 Compact Tactical Rifle features a 416 stainless steel-barreled action with externally adjustable trigger.
- viii. WINCHESTER.223/5.56 TRAINING AMMUNITION - Cost: \$466 per case of 1000; quantity: 95 cases. Winchester ammunition features a lead core 55-grain full metal, non-magnetic jacket. Non-corrosive boxer primer and new virgin brass casings can be reloaded up to seven times.
- ix. WINCHESTER 223./5.56 RANGER BALLISTIC SILVERTIP DUTY AMMUNITION #RA223BSTA - Cost: \$898 per case of 1000; quantity 25 cases. Winchester Ranger is the highest line quality intended for law enforcement. Winchester Ranger 223 Remington has a muzzle velocity of 3240 feet per second and muzzle energy of 1262 foot pounds. Winchester Ranger ammo is reloadable, features new virgin brass casings and boxer primers. This ammunition is non-corrosive.
- x. FEDERAL TACTICAL TRU .308 168GR RIFLE ROUND - cost: \$630 per case of 500; quantity: 10 cases. The tactical ballistic tip bullet's polymer tip provides excellent accuracy, while tapered jackets allow rapid, yet controlled, expansion. The ammunition utilizes low flash propellants; the best Federal brass and crimped primers. This Federal 308 Winchester TRU ammo features brass cases, boxer primer and is non-corrosive and 100% reloadable. It features a 168-grain ballistic tip.

- xi. FEDERAL TACTICAL PREMIUM .308 168 GR BONDED RIFLE ROUND- cost: \$350 per case of 200; quantity: 5 cases. Federal Cartridge .308 Win Tactical Bonded Tip 168 Grain Duty Ammunition is made exclusively for law enforcement and achieves accuracy and terminal performance unmatched by any other ammunition. Designed to defeat the toughest barriers with minimal deflection. Federal Cartridge .308 bonded has a muzzle velocity of 2700 feet per second and muzzle energy of 2719 foot pounds.

b. Purpose

To be used as precision weapons to address threats that exceed the capability of the Department's standard-issue handgun.

c. Authorized Use

Only members POST-certified in the use of the rifle are authorized to deploy them in the field.

d. Lifespan

Listed .223/5.56 caliber rifles have a 10-15 year lifespan.

Listed .308 caliber rifles have a 10-15 year lifespan.

Listed ammunition is good until used.

e. Fiscal Impact

The Department budgets approximately \$110,000 annually for all Department firearms ammunition. Annual maintenance cost for 2025 was approximately \$8,000.

f. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. All members that operate any rifle are required to pass a range qualification two times a year. Annual training cost for 2025 was approximately \$50,000.

g. Legal and Procedural Rules

The Department will only utilize rifles for official law enforcement purposes, pursuant to Department Policy and State and Federal law.

11. 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, FLAMELESS TRI-CHAMBER, OC, #1030 - Cost: \$51; quantity: 12. The design of the Tri-Chamber Flameless OC 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. 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.
- ii. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE GRENADE, CS, #1082 - Cost: \$32; quantity: 25. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 inches by 2.35 inches and holds approximately 2.7 ounces. of active agent.
- iii. DEFENSE TECHNOLOGY, SPEDE-HEAT CONTINUOUS DISCHARGE CANISTER, CS, #1072 - Cost: \$37; quantity: 13. The Spede-Heat™ CS canister is a high volume, continuous burn. It expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side, and one on the bottom. This launchable canister is 6.12 inches by 2.62 inches and holds approximately 2.9 ounces. of active agent.
- iv. DEFENSE TECHNOLOGY, POCKET TACTICAL CANISTER, CS, #1016 - Cost: \$30; quantity: 10. The Pocket Tactical CS Canister is small and lightweight. The 0.9 ounces of active agent will burn approximately 20-40 seconds. At 4.75 inches by 1.4 inches in size, it easily fits in most tactical pouches. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full-size

tactical canister.

- v. DEFENSE TECHNOLOGY, OC VAPOR AEROSOL GRENADE, #1056 - Cost: \$55; quantity: 10. The Defense Technology OC Vapor Aerosol Grenade is for Law Enforcement and Corrections use to deliver a high concentration of Oleoresin Capsicum (OC) in a powerful mist. The grenade is designed for indoor use in confined areas and once deployed, inflames the mucous membranes and exposed skin resulting in an intense burning sensation. The incapacitating effect of the OC Vapor on the subject is dramatic with minimal decontamination needed. Removing the subject from the affected area to fresh air will resolve respiratory effects within minutes. The OC Vapor Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder or liquid devices is not practical or desired.
- vi. DEFENSE TECHNOLOGY, OC AEROSOL GRENADE 1.3% FOGGER, 6 OUNCE, #56854 - Cost: \$22; quantity: 10. The 6-ounce OC Aerosol Grenade will deliver its payload of 1.3% MC% OC in 20-25 seconds. This is an anatomized mist which enhances the pungent 1.3% OC formulation. Ideal for area denial; areas like attics, garages, etc. This device has minimum cleanup. The canister may also be handheld to direct the spray pattern. This product is designed to provide room clearing ability with minimum cleanup requirements.
- vii. DEFENSE TECHNOLOGY RED SMOKE GRENADE #1067 – Cost \$49; Quantity: 5. The Maximum Smoke Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 30-40 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. This launchable colored smoke grenade is 6.0 in. by 2.35 in. and holds approximately 2.9 ox. of active agent.
- viii. DEFENSE TECHNOLOGY POCKET TACTICAL GRENADE (RED) #1017R; Cost \$39; Quantity 10. The Pocket Tactical Saf-Smoke Grenade is small and lightweight. The Saf-Smoke will burn approximately 20-40 seconds. At 4.75 in. by 1.4 in. in size, it easily fits in most tactical pouches. This launchable grenade, however, is normally used as a signaling or covering device.
- ix. COMBINED TACTICAL SYSTEMS INDOOR 52 SERIES BAFFLED GRENADE #5210B; Cost \$68; Quantity 20. The Baffled Grenade can be used indoors with very minimal risk of fire. The 5210B delivers a very high volume of white smoke. It is an excellent indoor option when the situation requires escalation of force.

- x. COMBINED TACTICAL SYSTEMS BAFFLED CANISTER GRENADE, PYRO, LOW FLAME POTENTIAL #5230B; Cost \$61; Quantity 15. Pyrotechnic grenade designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire.
- xi. COMBINED TACTICAL SYSTEMS, CS CANISTER GRENADE #5230. Cost \$45; Quantity 8. Large diameter burning grenade that discharges a high volume of smoke and chemical agent through multiple emission ports. Specifically for outdoor use and should not be deployed on rooftops, in crawl spaces or indoors due to potential fire hazard. Can be hand thrown or launched. Discharge duration can reach up to 40 seconds.

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.
- vi. Tactical situations involving the deployment of the Department's SWAT Team.

c. Authorized Use

Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents.

d. Lifespan

5 years from manufacturing date.

e. Fiscal Impact

There were no annual maintenance costs for 2025.

f. Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors. There were no annual training costs for 2025.

g. Legal and Procedural Rules

The Department shall only utilize explosive Chemical Agent and Smoke Canisters for official law enforcement purposes, pursuant to State and Federal law.

12. EXPLOSIVE BREACHING TOOLS: Tools that are used to conduct an explosive breach.

a. Description, Quantity, Capabilities and Purchase Cost

- i. PRIMACORD REINFORCED DETONATING CORD - Cost: \$1 per foot; quantity: 2000 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.
- ii. ORICA EXEL MS 40' SHOCK TUBE - Cost: \$19 each; quantity: 60. 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.
- iii. ORICA EXEL MS 80' SHOCK TUBE - Cost: \$28 each; quantity: 60. 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.
- iv. BLASTING CAP - Cost: \$12; quantity: 100. 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.
- v. BOOSTERS (Alpha Explosives) 10 GRAM UNCRIMPED - Cost: \$5.73 each; quantity: 150. A high-power explosive, made of a highly safe pentolite

charge (a blend of TNT and PETN) for the initiation of blasting agents. Its main purpose is to provide an energetic pulse high enough to rapidly achieve an optimum velocity of detonation of the explosive.

- vi. FLEXSHEET PETN BASE C-1, SHEET EXPLOSIVE - Cost \$450 per pound; quantity: 20 pounds. Used in conjunction with detonating cord and blasting caps to gain entry into a fortified structure.
- vii. FLEXSHEET PETN BASE C-2, SHEET EXPLOSIVE - Cost \$450 per pound; quantity: 40 pounds. Used in conjunction with detonating cord and blasting caps to gain entry into a fortified structure.
- viii. FLEXSHEET PETN BASE C-3, SHEET EXPLOSIVE - Cost \$450 per pound; quantity: 10 pounds. Used in conjunction with detonating cord and blasting caps to gain entry into a fortified structure.
- ix. ROYAL ARMS RDI ROYAL DUAL INITIATOR SHOCK TUBE IGNITER, NSN# 1375-01-533-5362 - Cost: \$590; quantity: 6. Mechanical initiator for explosive breaching operations.
- x. REMINGTON 870 BREACHING SHOTGUN w/ Royal Arms International Barrel - Cost: \$500; quantity: 1. This weapon allows breachers to safely utilize shotgun breaching rounds to destroy deadbolts, locks and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round. 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).
- xi. ROYAL ARMS TESAR-SF GREEN CAP CUSTOM SOFT COPPER FRANGIBLE BREACHING ROUND 12 GAUGE - Cost: \$6 per round; quantity: 25. The round is fired from a breaching shotgun and is used to destroy deadbolts, locks and hinges.
- xii. ROYAL ARMS HP CUTTER 12 GAUGE PURPLE CAP SOLID STEEL HOLLOW POINT CUTTER BREACHING ROUND - Cost: \$8 per round; quantity: 25. The round is fired from a breaching shotgun and is used to cut rebar, penetrate security glass, car doors and can penetrate engine blocks.

b. Purpose

To safely gain entry into a fortified 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

Breaching Shotgun: 25 years
Shock Tube: 25 years
Blasting Caps: 10 years
Boosters: 10 years
Detonating cord: 10 years
Sheet Explosive: 10 years
Breaching Rounds: 5 years

e. Fiscal Impact

Estimated annual maintenance cost is \$50. For 2025, that cost was approximately \$100.

f. Training

All officers who use explosive breaching tools shall attend at least 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations. Training costs for 2025 were approximately \$3,000.

g. Legal and Procedural Rules

The Department shall only utilize explosive breaching for official law enforcement purposes, pursuant to State and Federal law.

13. PEPPERBALL LAUNCHER: A less-lethal device that discharges irritant projectiles.

a. Description, Quantity, Capabilities and Purchase Cost

- i. PepperBall FTC, #720-01-0002 - Cost: \$589; quantity 31. The Full Tactical Carbine System (FTC) is a compressed air-powered launcher designed to fire non-lethal PepperBall projectiles. The PepperBall FTC is a gravity feed system with a hopper containing up to 180 .68 caliber projectiles at one time, which is designed for use with high-pressure air.
- ii. PepperBall INERT Powder Projectiles - Cost: \$1 per projectile; quantity: 4,500 projectiles. Inert projectiles used for training purposes.
- iii. PepperBall LIVE-X PAVA (OC) - Cost: \$3 per projectile; quantity: 7,600 projectiles. LIVE-X contains a concentrated amount of PAVA pepper powder. One round of LIVE-X™ contains the equivalent to 10 LIVE

PepperBall rounds. This projectile is best for direct impact or area saturation. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 150 feet and an area of saturation of 390+ feet.

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
- vi. Tactical situations involving the deployment of the Department's SWAT Team.

c. Authorized Use

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

d. Lifespan

PepperBall Launchers have a 20-year lifespan.

PepperBall projectiles have a 3-year lifespan.

e. Fiscal Impact

Estimated annual maintenance cost is \$50 for each launcher. For 2025, that cost was approximately \$3,000.

f. Training

Sworn members utilizing PepperBall launchers and projectiles are trained in their use by POST-certified less lethal and chemical agent instructors. Training costs for 2025 were approximately \$5,000.

g. Legal and Procedural Rules

The Department shall only utilize PepperBall launchers for official law enforcement purposes, pursuant to State and Federal law.