



CITY OF HUNTINGTON BEACH

POLICE DEPARTMENT COMMUNICATION

TO: Honorable Mayor and City Council

FROM: Eric Parra, Chief of Police 

DATE: April 2, 2024

SUBJECT: Annual Military Equipment Use Report (AB 481)

Executive Summary:

On September 30, 2021, Governor Newsom approved Assembly Bill 481 (**Exhibit 1**). The Bill requires law enforcement agencies to obtain approval from the applicable governing body (City Council), by adoption of a military equipment use policy (**Exhibit 2**), as specified by ordinance at a regular meeting prior to taking certain actions relating to the funding, acquisition, or use of military equipment.

On May 3, 2022, the City Council adopted Ordinance No. 4255 (**Exhibit 3**), approving the Huntington Beach Police Department (HBPD) Military Equipment Use Policy and Inventory. AB 481, and the Ordinance, mandates the HBPD to submit to the City Council an annual report of use for the specific military equipment the HBPD possesses. The current Inventory of Military Equipment possessed by the HBPD is included as **Exhibit 4**.

The Military Equipment Use Policy is subject to City Council review to determine whether the standards set forth in AB 481 have been met, based upon this Annual Military Equipment Use Report. Finally, AB 481 requires publication of the Military Equipment Use Policy and the Annual Military Equipment Use Report on the Department's website.

Per Government Code 7072 of AB 481, 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.

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.

Introduction:

The HBPD possesses a variety of military equipment, as defined by AB481, to assist in safely carrying out its mission, "To provide the highest level of service to our residents, businesses, visitors and the public through a partnership with our community to preserve and improve the quality of life in Huntington Beach."

While the inventory of military equipment varies, the mere possession of the equipment does not warrant its use for every incident. The HBPD recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of equipment options can greatly assist incident commanders, supervisors, and officers in resolving those incidents in a safe manner. The use of military equipment is restricted to certain instances and in some cases only by certain units and personnel. The use of the Department's military equipment is continuously evaluated and the use of such equipment by department personnel is taken into account when considering the totality of the circumstances, public safety, officer safety, State and Federal law, and other information available at the time.

This Annual Military Equipment Use Report outlines a summary of military equipment usage guidelines, inventory, fiscal impact, complaints, and reported concerns for calendar year 2023.

Certain items of military equipment, particularly consumables (ammunition, diversionary devices, 40mm projectiles, pepper balls, chemical agents, etc.) are used throughout the year for training to maintain proficiency. Training usage is not captured in this report. This report only provides data for the operational use of the military equipment listed.

Summary of Military Equipment Usages:

The City of Huntington Beach is home to approximately 200,000 people. During calendar year 2023 the Department responded to approximately 55,000 calls for service requiring an officer response and approximately 29,000 officer-initiated calls.

During those calls, force was used sixty-seven (67) times. Of the force options utilized, military equipment in the form of projectiles were only used during six (6) of those contacts. These statistics illustrate the few instances of force used by Huntington Beach police officers in relation to overall calls, which remains at less than one per thousand, as it did in the last year's report. Moreover, force used involving military equipment is an even smaller subset of the overall force used (approximately once every 14,000 calls for service).

Outreach and Community Engagement:

Trust and confidence in our ability to provide quality law enforcement services to the residents and visitors of Huntington Beach is of utmost importance to our agency. The Department strives to increase transparency and enhance our relationship with the community by openly sharing information, displaying our various inventory of military equipment, and engaging with our community members regularly at several community events throughout the year. Some of these include our public safety open houses, toy drives, 4th of July celebrations, citizens' academies, coffee with a cop, and others.

Tables and Conclusions:

The following tables contain a summary of incidents where military equipment was deployed. The six (6) instances where munitions were fired are indicated by being bolded.

There have been no internal audits (other than those conducted to gather and confirm data for this report), identified violations of equipment use, or any complaints concerning the listed equipment. There have been no reported violations of the military equipment use policy during the reporting period.

As mentioned in the last use report, a deficiency in data collection was discovered as it pertains to rifle deployments. Prior to June, 2023, a method was not in place for officers to individually report deployments, so an accurate count as to number of deployments was not captured. An average number of deployments was extracted based on the 31 reported after June, resulting in an approximate number of deployments of 53 for 2023. Likewise, the deployment of our 40mm and pepperball launchers was extrapolated out to obtain the listed totals. This data collection issue has been rectified by development of a reporting system for supervisors in our PD App and future reports will accurately depict our deployment totals.

The Department is in the process of procuring funding to replace an additional 90 aging Daniel Defense and Bushmaster patrol rifles that have been in use for the last 8-10 years. They are at or approaching their expected lifespan (see inventory section 10).

Of note is a significant increase in UAS deployments, from 22 in 2022 (May through December) to 132 in 2023. The usefulness of this tool to enhance public safety for modern day law enforcement has proven invaluable. As a result, the Department is in the process

of reviewing the feasibility of deploying a Drone First Responder (DFR) program, which would enable us the ability to deploy drones remotely from designated launching pads throughout the City. This capability would provide us the ability to more expeditiously respond to emergency calls for service, even arriving prior to patrol officers.

Table 1 - HYPD AB 481 Annual Reporting Jan 1 – Dec 31, 2023

Date	Equipment Deployed	Summary
1/19/23	UAS	Suspicious subject call.
2/4/23	UAS	Search for burglary suspect.
2/5/23	UAS Armored Vehicle Rifle 40mm Launcher Pepperball Launcher	The SWAT team provided security and support for the Surf City Marathon.
2/6/23	UAS	Suspicious subjects on a roof at a business.
2/8/23	UAS	Explosive device investigation.
2/12/23	UAS	Search for burglary suspect.
2/14/23	UAS	Containment search for repeated prowler.
2/23/23	Rifle Armored Vehicle UAS NFDD Pepperball Launcher Robot 40mm Launcher	SWAT served a search warrant. A NFDD device was used as suspects attempted to flee out the back of the residence.
2/26/23	UAS	Search for subject who ran from officers.
3/8/23	UAS	Photos for major traffic collision scene.
3/17/23	UAS	Search for burglary suspect.
3/26/23	UAS	Photos for major traffic collision scene.
3/26/23	UAS	Search for subject with handgun.
4/8/23	UAS	Search for burglary suspect.
4/9/23	UAS	Area check for subject armed with a handgun.
4/11/23	UAS	Surveillance related to an investigation.
4/13/23	UAS	Photos for major traffic collision scene.
4/16/23	Pepperball Launcher	Arrest of attempted burglary suspect. Pepperball rounds were fired to gain compliance from a resistant suspect.
4/18/23	UAS	Surveillance related to an investigation.
4/19/23	UAS	Area check for subject armed with a handgun.
4/24/23	UAS	Area check for subject armed with a handgun.
4/25/23	UAS	Surveillance related to an investigation.
4/25/23	UAS	Surveillance related to an investigation.

4/25/23	UAS	Area check for passenger who fled during traffic stop.
4/26/23	UAS	Search for domestic violence suspect.
4/27/23	UAS	Check of pier for bomb threat.
4/27/23	UAS	Surveillance related to an investigation.
4/28/23	UAS	Search for missing person.
4/28/23	UAS	Search for domestic violence suspect.
4/29/23	Rifle Pepperball Launcher 40mm Launcher Armored Vehicle	Arrest of felony suspect barricaded in a vehicle following a pursuit. 40mm projectiles were used to break out the window of the suspect vehicle and pepperball rounds were fired into the vehicle to force the suspect out. A 40mm round was used to gain suspect compliance.
5/5/23	UAS	Search for illegal poachers in wetlands area.
5/5/23	UAS	Possible residential burglary in progress.
5/5/23	UAS	DUI Checkpoint aerial video.
5/11/23	UAS	Photos for major traffic collision scene.
5/12/23	UAS	Photos for major traffic collision scene.
5/12/23	UAS	Search for burglary suspect.
5/15/23	Pepperball Launcher	Arrest of felony warrant suspect who barricaded on the roof of a residence. Pepperball rounds were fired to gain compliance.
5/19/23	UAS	Patrol assist on radio call.
5/19/23	UAS	Patrol assist on radio call.
5/27/23	UAS	Photos for major traffic collision scene.
6/1/23	UAS	Search for vehicle.
6/1/23	UAS	DUI Checkpoint aerial video.
6/3/23	UAS	Yard check on suspicious person call.
6/7/23	40mm Launcher	Search for a possible burglary suspect in a construction zone.
6/7/23	UAS	Search for burglary suspect.
6/9/23	Rifle 40mm Launcher	Possible burglary in progress at residence.
6/9/23	Rifle 40mm Launcher Armored Vehicle	Stabbing call involving suspect armed with a knife.
6/10/23	Rifle	Search for possibly armed suspects who fled from a stolen vehicle following a pursuit.
6/11/23	UAS	Roof check on audible alarm.
6/14/23	UAS	Surveillance related to an investigation.
6/15/23	UAS	Search for burglary suspect.
6/17/23	Rifle 40mm Launcher Armored Vehicle	Domestic violence incident with an armed suspect inside a residence.

6/19/23	UAS	Surveillance related to an investigation.
6/20/23	UAS	Area search for felony hit and run suspect.
6/21/23	UAS	Surveillance related to an investigation.
6/22/23	UAS	DUI Checkpoint aerial video.
6/25/23	Rifle 40mm Launcher	Car stop after a failure to yield.
6/25/23	UAS	Photos for major traffic collision scene.
6/25/23	UAS	Search for burglary suspect.
6/27/23	UAS	Photos for major traffic collision scene.
6/27/23	UAS	Surveillance related to an investigation.
6/28/23	Rifle Pepperball Launcher 40mm Launcher UAS	Stolen vehicle with uncooperative suspect in driver seat.
6/28/23	UAS	Surveillance related to an investigation.
6/29/23	UAS	Surveillance related to an investigation.
7/1/23	UAS	Aerial search for suspect.
7/1/23	UAS	Search for suspicious subject.
7/2/23	UAS	Search for domestic violence suspect.
7/2/23	UAS	Search for burglary suspect.
7/3/23	UAS	Search for armed subject.
7/3/23	UAS	Search for burglary suspect.
7/4/23	Rifle 40mm Launcher Armored Vehicle	Suspect fled into a residence following a pursuit and had access to firearms. Suspect refused to surrender and the SWAT team deployed.
7/4/23	Rifle Armored Vehicle	The SWAT team provided security for the 4th of July parade. A sniper overwatch position was taken and multiple officers were deployed along the route to provide security.
7/4/23	Rifle Armored Vehicle	The SWAT team provided security for the 4th of July firework show. A sniper overwatch position was taken and multiple officers were in tactical positions in the area.
7/4/23	40mm Launcher	Searched for a felony assault suspect who had driven his vehicle at an officer, been involved in a separate hit & run, and had fled into a neighborhood on foot.
7/4/23	UAS	4th of July parade/misc. activity.
7/5/23	Rifle 40mm Launcher	Felony car stop following a pursuit with a reportedly armed passenger.
7/10/23	UAS	Bank robbery suspect search.
7/11/23	UAS	Surveillance related to an investigation.
7/22/23	Rifle	Felony car stop on a stolen vehicle following a pursuit.
7/30/23	UAS	Domestic violence suspect residence.

8/1/23	UAS	Surveillance on gypsy theft operation.
8/3/23	UAS	Surveillance related to an investigation.
8/5/23	UAS	US Open of Surfing aerial patrol.
8/5/23	UAS	Suspicious subject in backyard.
8/6/23	Pepperball Launcher 40mm Launcher	Car stop at termination of a felony pursuit.
8/6/23	UAS	US Open of Surfing aerial patrol.
8/7/23	40mm Launcher	Vehicle stop related to a vehicle theft that just occurred.
8/7/23	UAS	Critical missing juvenile search.
8/13/23	UAS	Photos for major traffic collision scene.
8/17/23	UAS	DUI Checkpoint aerial video.
8/18/23	UAS	Shark search.
8/22/23	40mm Launcher Pepperball Launcher	Suspect barricaded in a vehicle during felony car stop.
8/23/23	UAS	Carjacking vehicle search.
8/24/23	UAS	Assisted neighboring agency with search.
8/25/23	UAS	Photos for major traffic collision scene.
9/2/23	Pepperball Launcher 40mm Launcher	Uncooperative driver refused to exit vehicle after a pursuit.
9/2/23	UAS	Disturbance at school.
9/3/23	UAS	Search for female screaming for help in an inaccessible area.
9/4/23	UAS	UAS deployed from the Hilton rooftop to assist with various calls during the busy Labor Day holiday.
9/6/23	UAS	Search for domestic violence suspect.
9/6/23	UAS	Search for felony suspect.
9/7/23	Rifle 40mm Launcher	Search for an armed gunman/robbery suspect.
9/10/23	UAS	Search for burglary suspect.
9/10/23	UAS	Assistance related to a vehicle theft.
9/11/23	Mobile Command Post (MCP)	Homicide investigation.
9/12/23	Rifle 40mm Launcher Pepperball Launcher	Domestic violence suspect barricaded in a residence.
9/12/23	UAS	Search for robbery suspect.
9/13/23	UAS	Mapping for homicide scene.
9/18/23	Rifle	Search for multiple suspects who fled on foot following a stolen vehicle pursuit.
9/19/23	40mm Launcher	Uncooperative robbery suspect.
9/21/23	UAS	Surveillance related to an investigation.
9/22/23	UAS	Airborne patrol.
9/26/23	UAS	Commercial burglary.

10/2/23	UAS	Search for violent subject.
10/7/23	UAS	Search for burglary suspect.
10/7/23	UAS	Roof check on burglary alarm.
10/8/23	UAS	Roof check on burglary alarm.
10/8/23	UAS	Search for burglary suspect.
10/11/23	40mm Launcher	Suspect barricaded in a vehicle following a pursuit.
10/13/23	UAS	Surveillance related to an investigation.
10/15/23	UAS	Search related to a vandalism.
10/18/23	UAS	Check for suspicious subject on roof.
10/20/23	UAS	Patrol Check of railroad tracks in search of reported arsons.
10/22/23	Rifle Pepperball Launcher 40mm Launcher Armored Vehicle Robot Noise Flash Diversionary Device (NFDD) Crisis Negotiation Team Vehicle UAS	SWAT team activation for barricaded felony assault suspect. A NFDD and 40mm projectiles were used to break windows, allowing the ability to introduce pepperball rounds, which forced the suspect to leave his barricaded position.
10/23/23	Rifle	Felony vehicle with a wanted/armed suspect who had threatened to shoot officers.
10/23/23	Rifle 40mm Launcher	Felony vehicle possibly occupied by an armed and dangerous suspects.
10/23/23	40mm Launcher	High-risk stop after a vehicle pursuit of a suspect wanted for felony assault on a police officer and vandalism.
10/23/23	UAS	Patrol Check for suspicious subject.
10/23/23	UAS	Patrol Check for fire on railroad tracks.
10/30/23	UAS	Roof check on burglary alarm.
10/31/23	40mm Launcher	Suspect threatened victim with a knife.
11/1/23	UAS	Surveillance related to an investigation.
11/3/23	UAS	Search for felony assault suspect.
11/4/23	40mm Launcher	Felony car stop following a pursuit.
11/5/23	UAS	Search for subject in ocean.
11/6/23	Mobile Command Post (MCP)	Homicide investigation.
11/7/23	UAS	Search for subject in ocean.
11/9/23	Pepperball Launcher 40mm Launcher Armored Vehicle Rifle	Suspect refused to exit vehicle after stopped for CVC violations and reckless driving. Suspect had numerous priors for resisting officers and criminal threats. A 40mm projectile was used to break out a vehicle window to gain compliance.

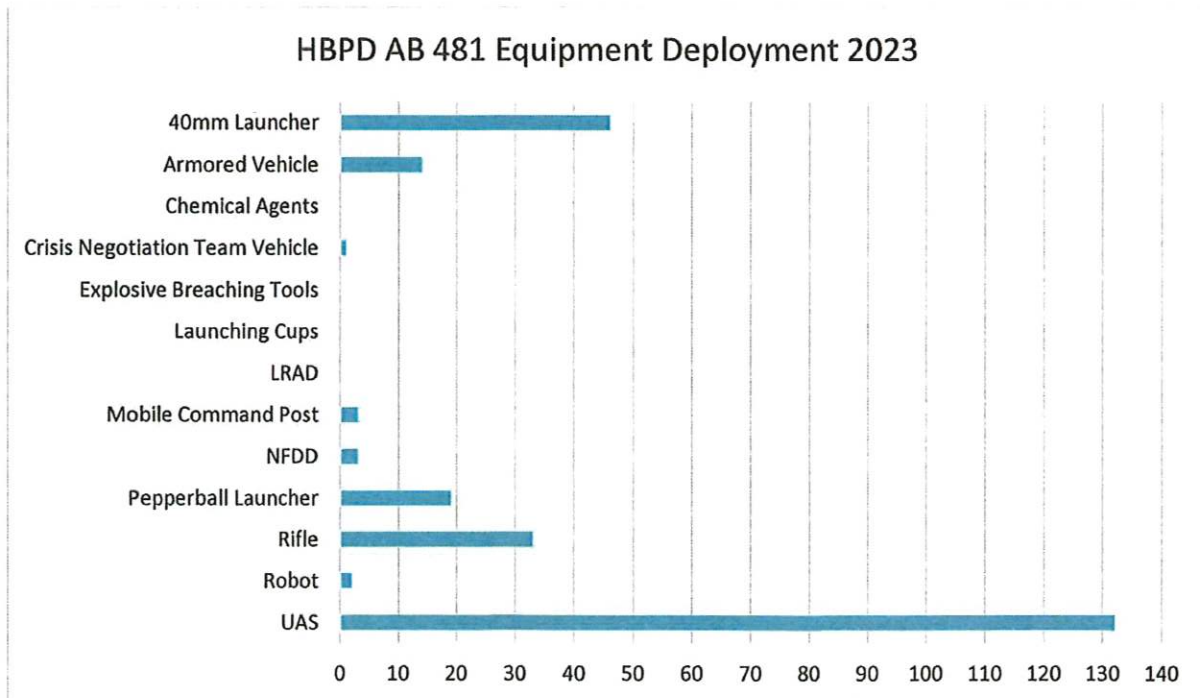
11/9/23	Rifle 40mm Launcher	Road rage incident involving a possible gun.
11/11/23	40mm Launcher	False imprisonment investigation.
11/12/23	Pepperball Launcher 40mm Launcher Armored Vehicle	Felony car stop of a stolen vehicle.
11/12/23	UAS	Assist with barricaded suspect.
11/13/23	UAS	Check rear of residence for possible burglary.
11/14/23	UAS	Surveillance related to an investigation.
11/15/23	Rifle Pepperball Launcher 40mm Launcher	Felony car stop of a stolen vehicle with a possible gun in the car.
11/15/23	UAS	Warrant service.
11/17/23	Mobile Command Post (MCP)	Homicide investigation.
11/18/23	Pepperball Launcher 40mm Launcher Rifle Armored Vehicle UAS	The SWAT team provided security for the Darker Waves Festival.
11/20/23	Rifle 40mm Launcher UAS	Report of shots fired through a residential wall from a neighboring apartment. Equipment was deployed on the perimeter as we attempted to make contact with the residents. The occupants refused to exit and remained uncooperative for multiple hours before they were safely detained.
11/20/23	UAS	Search for burglary suspect.
11/21/23	UAS	Photos for major traffic collision scene.
11/21/23	UAS	Located submerged vehicle in wetlands.
11/24/23	40mm Launcher	Female subject banging on the windows of a business while holding a metal pipe and acting erratic.
11/24/23	Rifle 40mm Launcher Armored Vehicle Noise Flash Diversionary Device (NFDD) UAS Crisis Negotiation Team Vehicle	Felony assault barricaded suspect resulted in SWAT call-out. Two NFDDs were used to gain suspect compliance.
11/25/23	Rifle	Search for possibly armed male.
11/25/23	UAS	Search for subject in ocean.
11/25/23	UAS	Area search for burglary suspect.
11/26/23	Rifle 40mm Launcher Armored Vehicle	Possibly armed suspect who made criminal threats.

11/28/23	UAS	Search for missing person.
11/29/23	Pepperball Launcher 40mm Launcher	Felony domestic violence suspect fled from a traffic stop and was hiding in a yard, refusing commands to surrender.
12/1/23	UAS	Search for subject in ocean.
12/1/23	UAS	Search for burglary suspect.
12/3/23	Pepperball Launcher UAS	Deployed for station defense during protest.
12/5/23	UAS	Overwatch for city council meeting after threats by protest group.
12/5/23	UAS	Search for missing person.
12/9/23	Rifle 40mm Launcher	Burglary in progress.
12/11/23	40mm Launcher	Welfare check on possibly suicidal subject with access to numerous firearms.
12/12/23	40mm Launcher	Felony car stop following a reported robbery.
12/13/23	40mm Launcher Rifle	Pursuit of an armed burglary suspect. The vehicle crashed and two people fled.
12/14/23	UAS	DUI Checkpoint aerial video.
12/17/23	40mm Launcher	Vandalism suspect armed with a bat in residence.
12/19/23	UAS	Search for burglary suspect.
12/19/23	UAS	Aerial support for wanted felony suspect.
12/20/23	Rifle 40mm Launcher	Commercial burglary with suspect still inside.
12/20/23	UAS	Surveillance for narcotics unit reference search warrant.
12/20/23	UAS	Aerial support for burglary investigation.
12/25/23	40mm Launcher	Arrest of uncooperative domestic violence/assault with deadly weapon suspect.
12/26/23	Rifle 40mm Launcher	Stolen vehicle pursuit and suspect fled on foot. Suspect refused commands/announcements to surrender and was hiding in heavy foliage.
12/26/23	Rifle Pepperball Launcher 40mm Launcher	Suspects refused to exit stolen vehicle after pursuit. 40mm was used to break out a vehicle window and pepperball rounds were fired into the vehicle to force suspects to surrender.
12/26/23	Pepperball Launcher 40mm Launcher	Residential burglary in progress.
12/26/23	UAS	Search for burglary suspect.
12/29/23	UAS	Search for burglary suspect.
12/30/23	UAS	Suspect fled from officers.

Table 2 - HBPD AB 481 Equipment Deployment Reporting

Equipment Type	Total Reported Deployments (June-December)	*Estimated Annual Total Based on Average Reported Monthly Deployments
40mm Launcher	46	79
Armored Vehicle	14	24
Chemical Agents	0	0
*Crisis Negotiation Team Vehicle	2	8
Explosive Breaching Tools	0	0
Launching Cups	0	0
Long Range Acoustic Device (LRAD)	0	0
Mobile Command Post	3	5
Noise Flash Diversionary Device (NFDD)	3	5
Pepperball Launcher	19	33
Rifle	33	57
Robot	2	3
Unmanned Aircraft System (UAS)	132 (Full Year Reported)	132 (Full Year Reported)

*New CNT vehicle placed into service November 2023

Chart 1 - HBPD AB 481 Equipment Deployment Reporting

APPROVED AS TO FORM

By:

MICHAEL E. GATES
CITY ATTORNEY

CITY OF HUNTINGTON BEACH

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 incurrence 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.

O

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

Huntington Beach Police Department

Huntington Beach PD Policy Manual

Huntington Beach PD Policy Manual

Military Equipment

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):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.

Huntington Beach Police Department

Huntington Beach PD Policy Manual

Huntington Beach PD Policy Manual

Military Equipment

- (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.



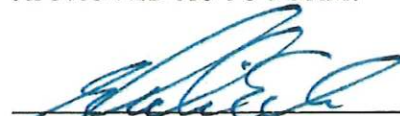
Mayor

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 AIR 2S - Cost: \$799 each; quantity: 8. UAS with a single-color camera with zoom capabilities, weighs approximately 570 grams and has video recording capabilities with approximately 43 minutes of flight time.
- iii. 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.
- iv. 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.
- v. 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.
- vi. DJI M210 - Cost: \$25,000 each; quantity: 1. UAS that has a thermal zoom color camera and weighs 6.14 kilograms. Has video recording capabilities with approximately 38 minutes of flight time
- vii. AUTEL EVO 1 - Cost: \$1,000 each; quantity: 1. UAS that has a color camera with zoom, capable of video recording and weighs 370 grams with approximately 30 minutes of flight time.
- viii. AUTEL EVO 2 6K - Cost: \$ 1,795 each; quantity: 1. UAS that has a color camera with zoom, capable of video recording and weighs 1127 grams with approximately 40 minutes of flight time.
- ix. 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.
- x. 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.
- xi. DJI Matrice 30T – Cost: \$15,000 each; quantity 1. UAS that weighs approximately 3770 grams and has a color camera with hybrid zoom, thermal camera capabilities, and approximately 41 minutes of flight time.

b. Purpose

Small Unmanned Aerial Systems are 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 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 2023 that cost was approximately \$25,000.

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. There were no specific training costs for 2023.

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 a face-to-face confrontation. This robot is portable and able to be easily carried by officers.
- iii. ROBOTEX AVATAR TACTICAL ROBOT - Cost: \$18,000; 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.

b. Purpose

To be used during tactical incidents to safely search a structure without exposing officers and/or community members to the risk of a 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 2023, that cost was approximately \$2,500.

f. Training

All operators shall receive initial training before deploying the robots in the field. There were no specific training costs for 2023.

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 2023, 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 2023.

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 2023, that cost was approximately \$7,000.

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 2023.

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 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 2023.

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 license. There were no specific training costs in 2023.

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 acoustical 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 2023.

f. Training

All operators will receive training prior to operating the LRAD in the field. There were no specific training costs in 2023.

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: 59. 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: 100. 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 persons 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: 200. 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 persons actively engaging in criminal behavior. The marking feature is effective in identifying persons 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: 48. 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

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 2023, that cost was approximately \$3,000.

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 2023 were approximately \$1,200.

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 40mm 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: \$346; 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 2023.

f. Training

Officers utilizing the launching cups are trained by POST-certified chemical agent instructors. There were no annual training costs for 2023.

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 FLASH-BANG - Cost: \$67; 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.
- ii. COMBINED TACTICAL SYSTEMS, 7290-2 FLASH-BANG - Cost: \$82; 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.
 - iii. COMBINED TACTICAL SYSTEMS, 7290-3 FLASH-BANG - Cost: \$124; 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, 7290-9 FLASH-BANG - Cost: \$174; 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.
 - v. COMBINED TACTICAL SYSTEMS, 7290M MINI FLASH-BANG - Cost: \$53; 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.
 - vi. DEFENSE TECHNOLOGY, 8933 LOW-ROLL RELOADABLE DIVERSIONARY DEVICE - Cost: \$73; 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.
 - vii. DEFENSE TECHNOLOGY, 8922CI LOW ROLL 2CI RELOADABLE DIVERSIONARY DEVICE - Cost: \$95; 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.
 - viii. DEFENSE TECHNOLOGY, 8901 RELOADS - Cost: \$36; quantity: 40. The 12-Gram Distraction Device reload utilizes an M201A1 type fuze 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. To produce 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 2023.

f. Training

Prior to use, officers must attend diversionary device training conducted by POST-certified instructors. Training costs for 2023 were approximately \$3,000.

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: 20. 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 13. 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: \$452 per case of 1000; quantity: 70 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: \$852 per case of 1000; quantity 35 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: \$398 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.

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 2023 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 2023 was approximately \$40,000.

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: \$43; 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: \$27; 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: \$33; quantity: 15. 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: \$25; 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: \$44; 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 \$32; 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 hold approximately 2.9 ox. of active agent.

- viii. DEFENSE TECHNOLOGY POCKET TACTICAL GRENADE (RED) #1017R; Cost \$31; 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 #5201B; Cost \$66; Quantity 10. 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 \$59; Quantity 19. 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 \$59; 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 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 2023.

f. Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors. Annual training cost for 2023 was approximately \$6,000.

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: \$18 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: \$25 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 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 \$340 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 \$340 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 \$340 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 for breachers to safely utilize shotgun breaching rounds in order 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: \$5 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: \$6 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 2023, that cost was approximately \$50.

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 2023 were approximately \$2,500.

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 32. 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: 3,800 projectiles. Inert projectiles used for training purposes.
- iii. PepperBall LIVE-X PAVA (OC) - Cost: \$3 per projectile; quantity: 5,000 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 2023, that cost was approximately \$2,000.

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 2023 were approximately \$2,500.

g. Legal and Procedural Rules

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