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## Military Equipment

### 708.1 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).

#### 708.1.1 DEFINITIONS

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

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

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

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- Area denial electroshock devices, microwave weapons, water cannons, long-range acoustic devices (LRADs), acoustic hailing devices, and sound cannons.
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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#### **708.2 POLICY**

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

#### **708.3 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 the Paradise 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.

#### **708.4 MILITARY EQUIPMENT INVENTORY**

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

##### MILITARY USE EQUIPMENT – Current Inventory

- (a) **Less Lethal Shotgun:** Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round.
  - (a) Description, quantity, capabilities, and purchase cost
    - (a) REMINGTON 870 LESS LETHAL SHOTGUN, cost: \$946, quantity: 7. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.

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- (b) 12-GAUGE SUPER-SOCK BEANBAG ROUND, cost: \$5, quantity: 300. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). CTS Super-Sock rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Model 2581 Super-Sock is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to "unfold" or "stabilize." The Super-Sock is an aerodynamic projectile. However, accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Super-Sock is very accurate. However, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.
- (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:
  - (a) Self-destructive, dangerous and/or combative individuals.
  - (b) Riot/crowd control and civil unrest incidents.
  - (c) Circumstances where a tactical advantage can be obtained.
  - (d) Potentially vicious animals.
  - (e) Training exercises or approved demonstrations
- (d) Lifespan
  - (a) Remington 870 Less Lethal Shotgun- 25 years. Super Sock Round- No listed expiration date.
- (e) Fiscal Impact
  - (a) Annual maintenance is approximately \$50 for each shotgun.
- (f) Training
  - (a) All officers are trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training.
- (g) Legal and Procedural Rules
  - (a) Use is established under PPD Policy 308.9, 308.10, and 308.11. It is the policy of the PPD to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.
- (b) **Distraction Devices:** A distract device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

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- (a) Description, quantity, capabilities, and purchase cost
  - (a) DEFENSE TECHNOLOGY, 8901SC FLASH-BANG, cost: \$45, quantity: 11. 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.
  - (b) DEFENSE TECHNOLOGY, 1082 CS GRENADE, cost: \$30, quantity: 12. 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. 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 grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
- (b) Purpose
  - (a) To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.
- (c) Authorized Use
  - (a) Diversionary Devices shall only be used:
    - (a) By officers who have been trained in their proper use.
    - (b) In hostage and barricaded subject situations.
    - (c) In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
    - (d) During other high-risk situations where their use would enhance officer safety.
    - (e) During training exercises.
- (d) Lifespan
  - (a) Until used.
- (e) Fiscal Impact
  - (a) No annual maintenance.
- (f) Training
  - (a) Prior to use, officers must attend diversionary device training that is conducted by Post certified instructors.
- (g) Legal and Procedural Rules
  - (a) Use is established under Paradise Police Policy 408. It is the policy of the PPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

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- (c) **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.
  - (a) Description, quantity, capabilities, and purchase cost
    - (a) Colt M16A1 RIFLE, Converted to Semi-Automatic AR-15, received from military at no cost. cost: \$150 to convert and outfit rifles for police use, quantity: 5. The M16 rifle, officially designated Rifle, Caliber 5.56MM.
    - (b) Palmetto State Armory Semi-Automatic AR-15, cost: \$750, for patrol use, quantity: 15, officially designated Rifle, Caliber 5.56MM
    - (c) SPEER GOLD DOT.223 CALIBER 62 GRAIN RIFLE ROUND, cost: \$260 per case of 500, quantity: 8 cases. Remington ammo made by Speer is reloadable, features nickel plated brass cases and Boxer primers and this is a non-corrosive round. The Gold Dot LE ammunition goes through a process of joining the jacket and core one molecule at a time, thanks to this Speer eradicates the potential for the leading cause of bullet failure (jacket/core separation). This process will guarantee extraordinary weight retention through barriers as strong as auto-glass. In addition to its remarkable strength, Gold Dot rifle ammunition asserts remarkable accuracy. With exact tolerances and unparalleled bullet uniformity of jacket thickness.
    - (d) WOLF GOLD.223 55GR RIFLE ROUND, cost: \$170 per case of 1000, quantity: 2 cases. Wolf Gold 223 Remington ammo features a 55 Grain FMJ bullet, brass casing and a non-corrosive primer. This 223 Rem ammunition is 100% reloadable if you choose to save your brass and reload your 223 ammo. The Wolf Gold.223 ammo offers muzzle velocity of 3250 feet per second and muzzle energy of 1290 ft lbs.
  - (b) Purpose
    - (a) To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
  - (c) Authorized Use
    - (a) Only members that are POST certified are authorized to use a rifle.
  - (d) Lifespan
    - (a) Colt M16A1 rifle converted to semi-automatic AR-15- no expiration.
    - (b) Palmetto State Armory AR-15 – No expiration
  - (e) Fiscal Impact
    - (a) Annual maintenance is approximately \$50 for each rifle.
  - (f) Training
    - (a) Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.
  - (g) Legal and Procedural Rules

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- (a) Use is established under PPD Policy 312. It is the policy of the PPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
- (d) **Simunition Equipment (SIM):** The GLOCK Training Pistols were developed with the purpose of enabling reality-based tactical operations training using color marking or plastic projectile ammunition.
  - (a) Description, quantity, capabilities, and purchase cost
    - (a) FX 9mm TRAINING SIMUNITION, cost: \$50 per box of 50 rounds, quantity: 50 boxes. The FX® marking cartridges, which come in six colors, are at the core of the FX® Training System known as "the world's most realistic close-range combat training system". The patented, reduced-energy, non-lethal cartridges leave a detergent-based, water-soluble color-marking compound. The visible impacts allow accurate assessment of simulated lethality. The cartridges are available in .38 cal. and 9mm and feature tactical accuracy up to 25 feet (7.6 meters). The 5.56mm is tactically accurate with ball cartridges to 100 feet (30 meters). No special ballistic facilities are required. They meet the need for a force-on-force and man-to-man training system that is realistic, effective, inexpensive, adaptable and fully portable.
    - (b) GLOCK 17T, cost: \$500, quantity 10. These pistols use the popular FX or FOF ammunition, which are used by military and law enforcement units around the world. The Modular back strap system makes it possible to instantly customize its grip to accommodate any hand size. The reversible magazine catch makes it ideal for left and right-handed shooters.
  - (b) Purpose
    - (a) To provide officers with realistic, tactical scenarios while maintaining a safe environment for training.
  - (c) Authorized Use
    - (a) Only those officers who have been trained in the use of Simunitions.
  - (d) Training
    - (a) Sworn members utilizing Simunitions are trained in their use by POST certified less lethal and firearm instructors.
  - (e) Lifespan
    - (a) Simunition FX training rounds – three years
    - (b) Glock 17T training handgun does not expire
  - (f) Fiscal Impact
    - (a) FX Simunitions – Replacement costs when used
    - (b) Annual maintenance of the Glock 17T - \$10 per year, per training handgun
  - (g) Legal and Procedural Rules

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- (a) Use is established under Paradise Police Policy 312.6. It is the policy of the PPD to utilize Simunitions only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.
- (e) **PepperBall Launcher:** A device that discharges irritant projectiles.
  - (a) Description, quantity, capabilities, and purchase cost
    - (a) PepperBall FTS CARBINE, cost: \$700, quantity 1. The Full Tactical Carbine (FTS) is a compressed-air powered launcher designed to fire non-lethal PepperBall projectiles.
    - (b) PepperBall LIVE PROJECTILE, cost: \$2 per projectile, quantity 90. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 0.5% PAVA Powder.
    - (c) PepperBall LIVE-X PROJECTILE, cost: \$3 per projectile, quantity 90. The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 5% PAVA Powder.
  - (b) Purpose
    - (a) 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:
      - (a) Self-destructive, dangerous and/or combative individuals.
      - (b) Riot/crowd control and civil unrest incidents.
      - (c) Circumstances where a tactical advantage can be obtained.
      - (d) Potentially vicious animals.
      - (e) Training exercises or approved demonstrations.
  - (c) Authorized Use
    - (a) Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.
  - (d) Training
    - (a) Sworn members utilizing PepperBall launchers and projectiles are trained in their use by POST certified less lethal and chemical agent instructors.
  - (e) Lifespan
    - (a) PepperBall FTC Carbine- 20 years

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- (b) PepperBall Live Projectile- 3 years
- (c) PepperBall Live-X Projectile- 3 years
- (f) Fiscal impact
  - (a) Annual maintenance is approximately \$50 for each PepperBall launcher.
- (g) Legal and Procedural Rules
  - (a) Use is established under Paradise Police Policy 308.7.2. It is the policy of the PPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

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6. **Unmanned Aerial Systems (UAS):** Also known as drones, are used to provide an extra level of protection, service, perspective, and convenience when conducting criminal investigations, reporting traffic collisions, and search and rescue operations.

(a) Description, Quantity, Capabilities, and purchase cost:

- (a) DJI drones, Quantity 4, Cost \$1,500 each

- (a) The DJI M30T was specifically built to serve industries and applications in public safety, inspection, search & rescue, fire response, and law enforcement. This Unmanned Aerial System (UAS) is a battery powered, remote operated device with a mounted camera, speaker, light and thermal imaging device. This UAS has proven to be useful to public safety agencies in firefighting, search and rescue, pre-operational surveillance, and other tactical situations where aerial views enhance the safety and efficiency of public safety personnel.

(a) (a) Purpose:

- (a) May be deployed when an aerial view would enhance situational awareness and assist officers or incident commanders during, but not limited to, the following occurrences:
1. Arrest/Search Warrant
  2. CBRNE (Chemical, Biological, Radiological, Nuclear, Explosives)
  3. Crowd Control/Special Events
  4. Dignitary Protection Detail

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5. Disaster Management
  6. Ongoing Criminal Investigation
  7. Explosive Ordnance Disposal/Investigation
  8. Fire
  9. Forensic/Crime Scene
  10. Missing Persons Investigations
  11. Perimeter Search and Security
  12. Search and Rescue
  13. SWAT / Tactical Operations
  14. Traffic Collision
  15. Training
  16. Public Relations/Multimedia Productions
  17. Assisting outside agencies in any of the above situations
  18. Assisting other Town of Paradise departments with carrying out their mission of better serving Paradise residents and visitors
- (b) Authorized Use:
- (a) UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of UAS shall not be used in the following circumstance:
    1. To conduct random surveillance.
    2. To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
    3. To harass, intimidate, or discriminate against any individual or group.
    4. To conduct personal business of any type.
    5. UAS shall never be weaponized.
- (c) Expected Lifespan:
- (a) 5 - 10 years
- (d) Fiscal Impact:
- (a) Annually \$2,500 - \$3,000 for battery replacements, insurance, and flight/ data logs.

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- (b) **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.
  - (a) Description, quantity, capabilities, and purchase cost
    - (a) Palmetto State Armory Semi-Automatic AR-15, cost: \$750, for patrol use, quantity: 3, officially designated Rifle, Caliber 5.56MM
  - (b) Purpose
    - (a) To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
  - (c) Authorized Use
    - (a) Only members that are POST certified are authorized to use a rifle.
  - (d) Lifespan
    - (a) Palmetto State Armory AR-15 – No expiration
  - (e) Fiscal Impact
    - (a) Annual maintenance is approximately \$50 for each rifle.
  - (f) Training
    - (a) Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.
  - (g) Legal and Procedural Rules
    - (a) Use is established under PPD Policy 312. It is the policy of the PPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

#### MAINTENANCE OF MILITARY USE SUPPLY LEVELS

When stocks of military equipment have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without city council approval to maintain essential availability for the Department's needs.

#### ANNUAL PUBLIC RESPONSE

- Since the adoption of this policy, there has been no reported complaints of the department's possession and acquisition of approved military equipment.

#### **MILITARY USE EQUIPMENT – Purchase Request**

No Requests for fiscal year 24/25.

#### **708.5 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

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submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

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

#### **708.6 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.

#### **708.7 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.

#### **708.8 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.