

ORDINANCE NO. 2497

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF WEST COVINA, CALIFORNIA, ADOPTING A
MILITARY EQUIPMENT POLICY GOVERNING THE USE
OF MILITARY EQUIPMENT PURSUANT TO ASSEMBLY
BILL 481**

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, AB 481 became effective January 1, 2022 and is codified at Sections 7070 through 7057 of Chapter 12.8 of Division 7 of Title 1 of the California Government Code; and

WHEREAS, the term "military equipment" is defined in California Government Code Section 7070; and

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, and used; and

WHEREAS, AB 481 requires, among other things, that a law enforcement agency obtain approval of the governing body, by an ordinance adopting a military equipment use policy that includes a description of the equipment, quantity, capabilities, expected lifespan, purposes and authorized uses, fiscal impact, legal and procedural rules governing authorized uses, required training, and mechanisms to ensure compliance with the agency's use policy, prior to taking certain actions relating to the funding, acquisition or use of military equipment, including military equipment acquired prior to January 1, 2022; and

WHEREAS, the West Covina Police Department is in possession of certain items of equipment that qualify as "military equipment" under AB 481 and further intends to acquire other items of military equipment; and

WHEREAS, the West Covina Police Department has prepared a proposed Military Equipment Policy, attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the Police Department made the proposed Military Equipment Policy available on the Police Department's website for at least 30 days prior to the first public meeting concerning the proposed Military Equipment Policy on April 19, 2022; and

WHEREAS, as required by AB 481, the City Council determines as follows:

- (a) the military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and
- (b) the proposed Military Equipment Policy will safeguard the public's health, welfare, safety, civil rights, and civil liberties; and

- (c) the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and
- (d) prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying Military Equipment Policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance; and

WHEREAS, the proposed Military Equipment Policy satisfies the requirements of California Government Code Section 7070(d); and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council finds that all the recitals, facts, findings, and conclusions set forth above in the preamble of this Ordinance are true and correct.

SECTION 2. Approval of Military Equipment Policy. The City Council, having received the information required under AB 481 regarding the West Covina Police Department's use of military equipment as defined in said law, deems it to be in the best interest of the City to and hereby approves the Military Equipment Policy attached hereto as Exhibit "A." The Military Equipment Policy shall govern the approval, acquisition, use and reporting of military equipment by the West Covina Police Department.

SECTION 3. Environmental Compliance. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance will have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) (General Rule) of Title 14 of the California Code of Regulations.

SECTION 4. Inconsistencies. Any provision of the West Covina Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 5. Uncodified Ordinance. This Ordinance shall not be codified in the West Covina Municipal Code unless and until the City Council so ordains.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance 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 remaining portions of this Ordinance. The City Council of the City of West Covina hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 8. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this 17th day of May, 2022.



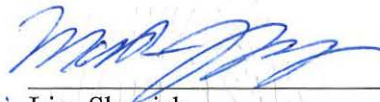
Dario Castellanos
Mayor

APPROVED AS TO FORM



Thomas P. Duarte
City Attorney

ATTEST



For: Lisa Sherrick
Assistant City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Ordinance No. 2497 was introduced at a regular meeting of the City Council held on the 19th day of April, 2022, and adopted at a regular meeting of the City Council held on the 17th day of May 2022, by the following vote of the City Council:

AYES:	Castellanos, Lopez-Viado, Tabatabai, Wu
NOES:	None
ABSENT:	Diaz
ABSTAINED:	None


For: 
Lisa Sherrick
Assistant City Clerk

EXHIBIT A

MILITARY EQUIPMENT POLICY

Military Equipment

716.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, use, and reporting requirements of military equipment, as defined in Government Code § 7070, in accordance with Assembly Bill No. 481 of 2021 (codified at Government Code §§ 7070-7075).

716.1.1 DEFINITIONS

Definitions related to this policy include:

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

Military equipment – The meaning set forth in Government Code § 7070(c), as amended from time to time, and includes the following:

- (a) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (b) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- (c) 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.
- (d) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (e) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (f) Weaponized aircraft, vessels, or vehicles of any kind.
- (g) Battering rams, slugs, and breaching apparatuses that are explosive in nature. Items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded.
- (h) Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- (i) 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 and ammunition.
- (j) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (k) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
- (l) TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- (m) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.

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- (n) Any other equipment as determined by a governing body or a state agency to require additional oversight.
- (o) Notwithstanding paragraphs (a) through (n), "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

716.2 POLICY

It is the policy of the West Covina Police Department that members of this Department comply with the provisions of Government Code §§ 7071-7072 with respect to military equipment.

716.3 MILITARY EQUIPMENT COORDINATOR

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

- (a) Acting as a 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 West Covina Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Coordinating with the City Clerk's Office to publicize 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 governing body.
- (g) Ensuring the annual report is made available on the Department website (Government Code § 7072).
- (h) 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.

716.4 MILITARY EQUIPMENT INVENTORY

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

[WCPD Military Equipment Inventory](#)

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716.5 APPROVAL

The Chief of Police or their 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 their 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, as outlined in 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.

716.6 COORDINATION WITH OTHER JURISDICTIONS

As established through past practice and mutual aid agreements, any jurisdiction through contract, mutual aid agreement, or request must accept the Department's policies and procedures governing the deployment of equipment utilized by West Covina Police Department employees. This is reciprocal to other law enforcement agencies.

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

The West Covina Police Department hereby adopts the military equipment use policy as is approved and may be amended from time to time, under Government Code § 7070 et seq., for jurisdictions that the West Covina Police Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the West Covina Police Department to deploy or use the military equipment of another jurisdiction.

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716.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or their authorized designee shall 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 their authorized designee shall 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.

716.8 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.

716.9 COMPLIANCE PROCEDURE

This procedure is to ensure compliance with the military equipment use policy. All complaints, concerns, or questions submitted regarding this policy will be handled pursuant to the Department's normal complaint process and be handled in a timely manner.

Attachments

WCPD Military Equipment Inventory.pdf

Military Equipment Inventory Attachment to Policy 715

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 MATRICE 210 | Cost: \$16,910 each | Quantity: 2 | UAS weighing approximately 13.5 lbs., approximately 30 minutes of flight time, and attachments including FLIR camera, spotlight, optical zoom camera, and ability to record video.
- ii. DJI SPARK | Cost: \$500 each | Quantity: 3 | UAS with a single-color camera, weighs approximately 0.6 lbs., approximately 15-20 minutes of flight time, and has video recording capabilities.
- iii. DJI PHANTOM 4 Pro | Cost: \$3,500 each | Quantity: 2 | UAS that weighs approximately 3 lbs., approximately 30 minutes of flight time, and is capable of video recording.

b. Purpose

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

- i. Major collision investigations
- ii. Search for missing persons
- iii. Natural disaster management
- iv. Crime scene photography
- v. Special Problems Detail [Special Weapons and Tactics (SWAT)/Hostage Negotiations Team (HNT)], tactical, or other public safety and life preservation missions
- vi. In response to specific requests from local, state, or federal fire authorities for major incidents

c. Authorized Use

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

d. Expected Lifespan

All UAS Equipment: 3 to 7 years

e. Fiscal Impact

All UAS Equipment: Annual maintenance and battery replacement cost are approximately \$0 to \$3,000

f. Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend a basic UAS operator course and ongoing bi-monthly unit training.

g. Legal and Procedural Rules

Use is established in FAA Regulation 14 CFR Part 107, and the Department's UAS policy (Unmanned Aerial System (UAS) Operations). It is the policy of the Department to utilize UAS only for official law enforcement purposes and according to State and Federal law.

2. Unmanned, Remotely Piloted, Ground Vehicles (Robots): 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 cost

- i. iRobot PacBot Model BB2590 | Cost: \$0 each | Quantity: 3 | The PacBot is a heavy-duty battery-powered robot. It has a stair-climbing ability and an arm capable of lifting several pounds. The PacBot is also equipped with a camera that can provide a live video and audio feed to the operator.
- ii. iRobot PacBot PCC | Cost: \$0 each | Quantity: 3 | The PacBot PCC is a suitcase-style monitor and controller that the operator uses to operate the iRobot PacBot robot. The suitcase is rugged and robust and utilizes 110 volts to operate.
- b. Purpose
To be used to remotely gain visual data, deliver an HNT phone, open doors, and clear buildings without requiring an officer to enter.
- c. Authorized Use
Only assigned operators who have completed the required training shall be permitted to operate the robots.
- d. Expected Lifespan
All robots: 3 to 5 years
- e. Fiscal Impact
All robots: Annual maintenance and battery replacement cost are approximately \$0 to \$5,000
- f. Training
All robot operators must complete an 8-hour Department training to operate the robots during live operations. Operators also complete reoccurring training throughout the year.
- g. Legal and Procedural Rules
It is the policy of the Department to utilize a robot only for official law enforcement purposes and according to State and Federal law.

3. Armored Vehicle: Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

- a. Description, quantity, capabilities, and purchase cost
 - i. 2012 BAE Systems Tactical Vehicle Systems Mine Resistant Ambush Protected (MRAP) Vehicle | Cost: \$0 each (Obtained through the Federal 1033 Program) | Quantity: 1 | The Mine Resistant Ambush Protected Vehicle is an armored vehicle that seats 10 personnel with an open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor. Provides greater levels of survivability and mobility to navigate challenging and unpredictable environments. Greater survivability is achieved through an enhanced monolithic floor, a strengthened chassis frame, and highly effective blast absorbing seats.
 - ii. Cadillac Gage Commando Ranger, Peacekeeper | Cost: \$0 each (Obtained through the Federal 1033 Program) | Quantity: 1 | The Peacekeeper is an armored vehicle that seats 8 personnel with an open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
 - iii. Lenco Bearcat, G2 | Cost: \$304,630 each | Quantity: 1 | The Bearcat is an armored vehicle that seats 10 to 12 personnel with an open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
- b. Purpose
 - i. The MRAP has been exclusively designated as a Rescue Vehicle and will be referred to as the Rescue Vehicle or RV-1. The primary purpose of the Rescue Vehicle (RV-1) is to

perform high-risk rescues or rapid extractions of persons during times of crisis. RV-1 is also designed to safely transport officers into positions of tactical advantage during critical incidents. RV-1 will be utilized when other Department resources are impractical. RV-1 provides greater safety to citizens and officers beyond the protection level of shield and personal body armor and can protect the occupants from IEDs or other explosive devices.

- ii. The primary purpose of the Peacekeeper and Bearcat is to protect employees during high-risk incidents. They are also designed to safely transport officers into positions of tactical advantage or to evacuate civilian personnel during critical incidents. Both vehicles provide greater safety to citizens and officers beyond the protection level of shield and personal body armor.

c. Authorized Use

An armored vehicle may be used if one or more of the following criteria are present:

- i. Incidents where human lives may be in immediate peril
- ii. Incidents where a threat of confrontation by gunfire or other weapons exists
- iii. Incidents involving a significant threat of violence
- iv. Rapid response deployments
- v. Acts of terror (violent attacks upon populated areas such as schools, community events, government buildings, shopping malls, and places of worship)
- vi. Natural disasters (significant earthquakes, major fires, floods, etc.)
- vii. Incidents deemed appropriate by the Chief of Police or their designee
- viii. Training exercises or approved demonstrations

d. Expected Lifespan

- i. MRAP: Approximately 25 years
- ii. Peacekeeper: Approximately 25 years
- iii. Lenco Bearcat G2: Approximately 25 years

e. Fiscal Impact

- i. MRAP: Annual maintenance cost of approximately \$0 to \$1,000
- ii. Peacekeeper: Annual maintenance cost of approximately \$0 to \$2,000
- iii. Bearcat: Annual maintenance cost of approximately \$0 to \$5,000

f. Training

Armored vehicles may only be operated by employees who possess the proper licensing and have been trained in the proper use of the vehicle. Employees designated as operators of one or more armored vehicles shall receive training in the safe operation and care for each vehicle and show competence before operating any of the listed armored vehicles.

g. Legal and Procedural Rules

Use is established in the Manual (Vehicle Use, Vehicle Maintenance, and Specialty Vehicle Deployment). It is the policy of the Department to utilize armored vehicles for official law enforcement purposes, according to State and Federal law.

4. Command and Control Vehicles: The mobile command post (MCP) is a vehicle used as a mobile office that provides shelter, access to Department computer systems, dispatch communication consoles, radio communications, and restroom facilities during extended events.

a. Description, quantity, capabilities, and purchase cost

2014 Mobile Specialty Vehicles (custom-built, using a Lone Star chassis) 40 LS Lone Star | Cost: \$471,806 | Quantity: 1 | A Class A RV outfitted with radio communications, computers, computer-aided dispatch (CAD) capabilities, monitors, and restroom to function as a mobile office for members of the department during department-approved functions.

b. Purpose

The purpose of the Mobile Command Post is to provide a safe and private location for employees to conduct Department business or to act as the Command Center as needed.

c. Authorized Use

Only officers trained in their deployment and operations in a manner consistent with Department policy and training are authorized to operate the MCP. The Mobile Command Post may be deployed for the following:

- i. Major Criminal Investigations
- ii. Major Traffic Investigations
- iii. Critical Incidents
- iv. Natural Disasters
- v. Special Problems Detail (SPD) Call-outs or Pre-Planned Events
- vi. Community Events
- vii. Supporting or Replacing the Command Center (e.g., outages, repairs)
- viii. Requests of use by outside law enforcement agencies with the approval of the Chief of Police or their designee

d. Expected Lifespan

MCP: 20 years on chassis and vehicle structure

e. Fiscal Impact

MCP: Annual maintenance cost is approximately \$0 to \$5,000

f. Training

The MCP may only be operated by employees who possess the proper licensing and have been trained in the proper care and use of the vehicle.

g. Legal and Procedural Rules

Use is established under the Manual (Vehicle Use, Vehicle Maintenance, and Specialty Vehicle Deployment). It is the policy of the Department to use the MCP only for official law enforcement purposes and following California State law regarding the operation of motor vehicles.

5. Breaching Apparatuses Explosive in Nature: Tools that are used to conduct an explosive breach.

a. Description, quantity, capabilities, and purchase cost

- i. Remington Model 870 BRS Breaching 12 Gauge, 11-Inch Stand-Off Barrel | Cost: \$645 each | Quantity: 2 | This weapon allows for breachers to safely utilize shotgun breaching round to destroy deadbolts, locks, and hinges. The breaching stand-off device 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.
- ii. Mossberg 590 12 Gauge Shotgun with an Affixed 18.5" Security Breaching Barrel | Cost: \$583 each | Quantity: 2 | This weapon allows for breachers to safely utilize shotgun breaching round to destroy deadbolts, locks, and hinges. The breaching stand-off device 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.
- iii. Royal Arms Tesar-2 Black Cap 425 Grain Copper Frangible Breaching Round | Cost: \$5 each | Quantity: Not to exceed 75 | The round is fired from a breaching shotgun and is used to destroy deadbolts, locks, and hinges.
- iv. Royal Arms Tesar-4 Yellow Cap 750 Grain Copper Frangible Breaching Round | Cost: \$5 each | Quantity: Not to exceed 75 | The round is fired from a breaching shotgun and is used to destroy deadbolts, locks, and hinges.

b. Purpose

Used to provide officers a way to safely gain entry into a structure.

c. Authorized Use

Absent exigent circumstances, only sworn members who have completed Department-approved training may be issued or use breaching shotguns. The breaching rounds can also be used for training exercises or approved demonstrations.

d. Expected Lifespan

i. Breaching Shotguns: 25 years

ii. Royal Arms Tesar-2 black cap 425-grain copper breaching round: 5 years

iii. Royal Arms Tesar-4 yellow cap 750-grain copper frangible breaching round: 5 years

e. Fiscal Impact

i. Breaching Shotguns: Annual maintenance approximately \$0 to \$50

ii. Breaching Round: Expected annual cost between \$0 to \$300 to replenish used stock

f. Training

Sworn members utilizing a breaching shotgun must be certified to do so by a certified breaching instructor during Department-approved training. Additionally, members of the SPD SWAT Team will receive training on breaching shotguns bi-yearly and that training will be conducted by a certified breaching instructor in two-hour blocks.

g. Legal and Procedural Rules

It is the policy of the Department to utilize breaching shotguns and the associated munitions only for official law enforcement purposes, according to State and Federal law.

6. Firearms of .50 Caliber and Ammunition: A .50 caliber bolt-action rifle is defined as a centerfire rifle that can fire a .50 BMG cartridge and is not already an assault weapon or a machinegun as defined by Penal Code section 16880. A ".50 BMG cartridge" means a cartridge that is designed and intended to be fired from a centerfire rifle and that meets all of the following criteria: It has an overall length of 5.54 inches from the base to the tip of the bullet, the bullet diameter for the cartridge is from .510 to, and including, .511 inch, the case base diameter for the cartridge is from .800 inch to, and including, .804 inch, and the cartridge case length is 3.91 inches. (Penal Code §§ 30525, 30530.)

a. Description, quantity, capabilities, and purchase cost

i. McMillan TAC-50 Bolt Action Sniper Rifle | Cost: \$7,100 each | Quantity: 1 | The McMillan TAC-50 is a manually operated, rotary bolt-action rifle. The large bolt has dual front locking lugs, and its body has spiral flutes to reduce weight. The heavy match-grade barrel is also fluted to dissipate heat quickly and reduce overall weight, and fitted with an effective muzzle brake to reduce recoil. The rifle is fed from detachable box magazines, holding 5 rounds each. The stock is made from fiberglass by McMillan Stocks and is designed to be used from a bipod only. The buttstock is adjustable for the length of pull with rubber spacers and can be removed for compact storage. The rifle has no open sights; it can be used with a variety of telescopic or night sights. The rifle can be also used to hit subjects that are hiding behind cover and walls, as its powerful ammunition can penetrate through bricks and concrete.

ii. Hornady .50 Caliber BMG 750 Grain A-Max Ammunition Cartridge | Cost: \$67 (per box of 10) | Quantity: Not to exceed 1,000 | Loaded to exacting specifications to provide pinpoint accuracy. Each cartridge is loaded with either Hornady® A-MAX® bullets, high-performance boat tail hollow points, or the new, radically superior ELD® Match bullets. Stringent quality control ensures proper bullet seating, consistent charges and pressures, optimal velocity, consistent overall length, and repeatable accuracy.

b. Purpose

The rifle provides authorized personnel with the capability to pierce hard armor, multiple layers of mild steel, or substantial brick, concrete, and other materials that may give hard cover to armed and/or dangerous suspects. It can also be used to disable vehicles, disrupt homemade explosives, provide over-watch protection, and for tactical porting. Tactical porting is the use of a projectile fired from a hard target rifle to create a port or hole.

c. Authorized Use

The use of the rifle is restricted to designated and authorized members of the SPD SWAT Team. Operators must attend an approved 40-hour training course provided by a certified instructor. Once certified authorized users must qualify with the rifle every year.

d. Expected Lifespan

- i. McMillian TAC-50 Bolt Action 50. Caliber Rifle: 20 years
- ii. Hornady .50 Caliber BMG 750 Grain A-Max ammunition: No expiration

e. Fiscal Impact

- i. Rifle: Annual maintenance is approximately \$0 to \$200 per rifle
- ii. Ammunition: Expected annual cost between \$0 to \$500 to replenish used stock

f. Training

Before deploying the rifle, designated SPD SWAT Team members must attend an approved 40-hour training course provided by a certified instructor. Once certified, authorized users must qualify with the rifle every year.

g. Legal and Procedural Rules

Use is established under the Manual (Use of Force and Firearms). It is the policy of the Department to utilize the rifle only for official law enforcement purposes, and according to State and Federal law including those regarding the use of force.

7. Specialized Firearms and Ammunition: Firearms that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

a. Description, quantity, capabilities, and purchase cost

- i. Colt M4 Carbine 5.56MM Rifle, Model: LE6920MPS B | Cost: \$636.55 each | Quantity: Not to exceed 80 | The carbine rifle is a firearm, capable of accurately stopping an armed subject at various distances. The carbine rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon, designed for semi-automatic & selective fire. The projectile is capable of penetrating soft body armor being worn by armed subjects.
- ii. DPMS Panther Arms AR-10 .308 Caliber Rifle, Model: LR-308 | Cost: \$1,500 each | Quantity: 4 | The DPMS with a 16" customized barrel, AR-10, is a precision style rifle. The firearm is chambered in .308 Winchester/7.62 NATO Rifle and has a 16" customized precision barrel. The magazine holds 20 rounds of ammunition and the rifle has a collapsible stock. This rifle is primarily used in an over-watch capacity to protect the community and SPD SWAT Team members during large events and critical incidents. The projectile is capable of penetrating soft body armor being worn by armed subjects.
- iii. Federal Cartridge .308 Winchester Tactical Bonded Tip 168 Grain Duty Ammunition Cartridge | Cost: \$319 (per case of 500) | Quantity: Not to exceed 10,000 | The Tactical Bonded Rifle Ammunition is a Federal product made exclusively for law enforcement. It achieves accuracy and terminal performance unmatched by any other ammunition. Designed to defeat the toughest barriers with minimal deflection or deviation for the most intense situations.

- iv. Colt 5.56MM, M4 Commando Carbine Lower Receiver with Daniel Defense MK18 Upper Receiver Group | Cost: \$1,900 each | Quantity: Not to exceed 30 | The carbine rifle is a firearm, capable of accurately stopping an armed subject at various distances. The carbine rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon, designed for semi-automatic and selective fire. The projectile is capable of penetrating soft body armor being worn by armed subjects.
- v. Sig Sauer MPX Suppressed 9MM Sub-gun | Cost: \$1,400 each | Quantity: Not to exceed 20 | The MPX is a firearm, capable of accurately stopping an armed subject at various distances. It is compact and designed to match firepower while also having the capability to clear enclosed or close combat spaces.
- vi. Heckler & Koch MP5 9MM Sub-gun | Cost: \$2,500 each | Quantity: Not to exceed 20 | The MP5 is a firearm, capable of accurately stopping an armed subject at various distances. It is compact and designed to match firepower while also having the capability to clear enclosed or close combat spaces.
- b. Purpose
To be used as precision weapons to address a threat with more accuracy and/or greater distances than a handgun, if present and feasible. These firearms can also be used to match the firepower of the threat being faced, as well as to penetrate barriers or barricades in critical incidents.
- c. Authorized Use
Use of all of the listed firearms are guided by the Manual. The Colt M4 Carbine is authorized to be carried by all officers regardless of assignment. The AR-10 and M4 Commando carbine rifles are specifically used by SWAT. The MPX and MP5 are specifically used by SWAT and the Special Enforcement Team (SET). All of these firearms are only authorized for use by an officer after attending an approved training with annual training and qualifications thereafter.
- d. Expected Lifespan
 - i. Colt M4 Carbine 5.56MM Rifle: 20 years
 - ii. DPMS Panther Arms AR-10 .308 Caliber Rifle, Model: LR-308: 20 years
 - iii. Federal Cartridge .308 Winchester Tactical Bonded Tip 168 Grain Duty Ammunition Cartridge: No expiration
 - iv. Colt 5.56MM, M4 Commando Carbine Lower Receiver with Daniel Defense MK18 Upper Receiver Group: 20 years
 - v. Sig Sauer MPX Suppressed 9MM Sub-gun: 20 years
 - vi. Heckler & Koch MP5 9MM Sub-gun: 20 years
- e. Fiscal Impact
 - i. Rifles: Annual maintenance is approximately \$0 to \$100 per rifle
 - ii. Ammunition (.308 Winchester): Expected annual cost between \$200 and \$1,000 to replenish used stock
- f. Training
The officers receive training during orientation and conduct continual annual training. The AR-10 and M4 Commando carbine rifles are specifically used by SWAT. The MPX and MP5 are specifically used by SWAT and the Special Enforcement Team (SET). Before deploying specialty rifles, designated SET and/or SWAT Team members must attend an approved training course provided by a certified instructor. Once certified, authorized users must qualify with the rifle every year.
- g. Legal and Procedural Rules

Use is established under Manual (Use of Force, Firearms, and Patrol Rifles). It is the policy of the Department to utilize these rifles and the associated munitions only for official law enforcement purposes, according to State and Federal law.

8. Diversionary Devices (Flashbangs): A diversionary device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest/search warrant situations.

a. Description, quantity, capabilities, and purchase cost

- i. Defense Technology Low Roll Reloadable Flashbang (#8933) with 12-Gram Reload (#8901) | Cost: \$33.23 each | Quantity: Not to exceed 60 | The Low Roll Reloadable Flashbang is an explosive device that produces a flash of light and a sudden, loud noise intended to temporarily stun, distract, and disperse people. It is thrown by hand or projected and produces 175 dB of sound output at 5 feet and 6-8 million candelas for 10 milliseconds.
- ii. Combined Tactical Systems, 7290m Mini Flashbang | Cost: \$38 each | Quantity: Not to exceed 60 | The 7290M Flashbang is an explosive device that produces a flash of light and a sudden, loud noise intended to temporarily stun, distract, and disperse people. It produces 175db of sound output and produces 6-8 million candelas of light.
- iii. Combined Tactical Systems, 7290-9 Flashbang | Cost: \$138.70 each | Quantity: Not to exceed 60 | The 7290-9 Flashbang is an explosive device that produces a flash of light and a sudden, loud noise intended to temporarily stun, distract, and disperse people.

b. Purpose

The proper use and deployment of diversionary devices can increase officer safety and assist officers with the successful completion of a tactical situation. This includes, but is not limited to barricaded suspects, hostage situations, high-risk warrant service, or any life-threatening situation.

c. Authorized Use

Absent exigent circumstances, only sworn members who have completed Department-approved training by a certified Department-approved trainer may be issued, use, or carry diversionary devices. The devices shall be stored and carried within Federal regulations. These devices can also be used for training exercises or approved demonstrations.

d. Expected Lifespan

- i. Defense Technology Low Roll Flash-Bang Body 8933: Approximately 26 deployments
- ii. Defense Technology Distraction Device Reload 12-Gram 8901: Until used
- iii. Combined Tactical Systems 7290M Mini Flash-Bang: Until used
- iv. Combined Tactical Systems 7290-9 Flash-Bang: Until used

e. Fiscal Impact

Expected annual cost of \$500 to \$4,000 to replenish used stock (including training deployments)

f. Training

Before use, officers must attend diversionary device training that is conducted by a certified Department approved instructor. Additionally, members of the SPD SWAT Team will conduct two two-hour training blocks on the use of diversionary devices yearly.

g. Legal and Procedural Rules

Use is established in the Manual (Use of Force and Diversionary Devices - Flashbangs). It is the policy of the Department to utilize diversionary devices only for official law enforcement purposes, and according to State and Federal law regarding the use of force.

9. Chemical Agents: Canisters that contain chemical agents (such as CS (2-chlorobenzalmalononitrile), OC (Oleoresin Capsicum) and CN (Chloroacetophenone)) that are released when deployed.

a. Description, quantity, capabilities, and purchase cost

- i. Defense Technology Pocket Tactical Grenade, CS, #1016 | Cost: \$29.77 each | Quantity: Not to exceed 30 | The Pocket Tactical Grenade is a small, lightweight, easily carried device that provides a medium volume of a chemical agent (CS) or smoke for certain situations. It was designed with the tactical team in mind for distraction, concealment, rescue, or signaling. The pocket grenade is not specifically intended as a crowd management device; however, it can be used in chemical configurations in conjunction with larger smoke canisters to "piggyback" chemical agents into a predominately smoke environment.
- ii. Defense Technology Pocket Tactical Grenade, Saf-Smoke, #1017 | Cost: \$29.77 each | Quantity: Not to exceed 30 | The Pocket Tactical Grenade is a small, lightweight, easily carried device that provides a medium volume of a chemical agent or smoke for certain situations. It was designed with the tactical team in mind for distraction, concealment, rescue, or signaling. The pocket grenade is not specifically intended as a crowd management device; however, it can be used in chemical configurations in conjunction with larger smoke canisters to "piggyback" chemical agents into a predominately smoke environment.
- iii. Defense Technology Spede-Heat Continuous Discharge Chemical Grenade, CS, #1072 | Cost: \$30 each | Quantity: Not to exceed 30 | The Spede-Heat™ Grenade is designed specifically for outdoor use in crowd control situations. It is a high-volume continuous burn device that expels its CS payload in approximately 20 - 40 seconds from a single source.
- iv. Defense Technology Large Style Maximum Smoke, #1073, | Cost: \$38.29 each | Quantity: Not to exceed 30 | The Large Style Maximum Smoke Grenade is a designed specifically for outdoor use in crowd management situations. It is a high volume, slow-burning device that deploys large quantities of grey-white colored smoke for approximately 1.5 to 2 minutes. It can be utilized as a carrying agent (multiplier) for smaller OC, CN, or CS munitions, or for concealing the movement of agency personnel. It may also be used as a distraction to focus attention away from other activities.
- v. Defense Technology Maximum HC Smoke Military-Style Canister, #1083, | Cost: \$35.62 each | Quantity: Not to exceed 30 | The Military-Style Maximum Smoke Grenade comes from the Defense Technology® #3 smoke grenade. It is a slow-burning, high-volume, continuous discharge grenade designed for outdoor use in crowd management situations. Emits grey-white smoke only for approximately 1.5 to 2 minutes.
- vi. Defense Technology Stinger CS Rubber Ball Grenade, #1088 | Cost: \$50.62 each | Quantity: Not to exceed 30 | The Stinger® Grenade is a combination of a Less Lethal Impact Munitions and a Distraction Device® that may incorporate optional CS or OC laden powder if desired. The Stinger® Grenade is a maximum effect device as it delivers up to four stimuli for psychological and physiological effect: rubber pellets, light, sound, and optional chemical agent or OC. The blast is sufficient to project the rubber balls and optional chemical agent in a 50-foot radius. The Stinger® Grenade is most widely used as a crowd management tool by law enforcement and corrections in indoor and outdoor operations. As a pain compliance, distraction, and disorientation device for crowd management, it may be hand thrown or launched in the general direction of the crowd. It may be deployed for ground bursts or aerial bursts at the discretion of the operator. It is

generally reserved as the last selection when chemical agents and less lethal impact munitions have not resolved the disorder or routed the crowd.

- vii. Defense Technology Han-Ball Rubber Ball Grenade, CS, #1092 | Cost: \$37.10 each | Quantity: Not to exceed 30 | The Han-Ball™ Rubber Ball Grenade is a fast-burning, high-volume continuous discharge grenade available in OC, CN, CS, and Saf-Smoke™. Designed specifically for outdoor use in crowd management situations. It is excellent for the rapid delivery of a chemical agent or smoke in quickly changing tactical situations.
- viii. Defense Technology Han-Ball Grenade, Saf-Smoke, #1093 | Cost: \$37.10 each | Quantity: Not to exceed 30 | The Han-Ball™ Rubber Ball Grenade is a fast-burning, high-volume continuous discharge grenade available in OC, CN, CS, and Saf-Smoke™. It is excellent for the rapid delivery of a chemical agent or smoke in quickly changing tactical situations. Hand throw or launch use only. Launching of grenades will provide deploying officers with additional standoff distances. This grenade offers coverage for large outdoor areas. In the Saf-Smoke™ configuration, it can be utilized for concealing the movement of agency personnel. It may also be used as a distraction to focus attention away from other activities.
- ix. Defense Technology OC Aerosol Grenade Fogger, 1 OZ., #56814 | Cost: \$13.75 each | Quantity: Not to exceed 30 | The Aerosol Grenade Fogger is a non-pyrotechnic that contains no chlorofluorocarbons (CFCs), is not a fire hazard, and requires minimal decontamination. It is designed for use in tactical indoor operations by law enforcement. The purpose of the Aerosol Grenade Fogger is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The 1.3% Major Capsaicinoids provide sufficient effects in confined areas of up to 6,000 cubic feet such as attics, crawl spaces, garages, and interior rooms.
- x. Defense Technology OC Aerosol Grenade Fogger, 6 OZ., #56854 | Cost: \$18.35 each | Quantity: Not to exceed 30 | The Aerosol Grenade Fogger is a non-pyrotechnic that contains no CFCs, is not a fire hazard, and requires minimal decontamination. It is designed for use in tactical indoor operations by law enforcement. The purpose of the Aerosol Grenade Fogger is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The 1.3% Major Capsaicinoids provide sufficient effects in confined areas of up to 25,000 cubic feet such as attics, crawl spaces, garages, and interior rooms.
- xi. Combined Tactical Systems (CTS) 5230B CS Baffled Canister Grenade, Pyro, Low Flame | Cost: \$45.20 each | Quantity: Not to exceed 100 | Pyrotechnic grenade designed for indoor/outdoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire.
- xii. Combined Tactical Systems (CTS) 6340 OC Vapor Grenade | Cost: \$45.25 each | Quantity: Not to exceed 30 | This unique grenade delivers an invisible OC vapor and renders an intense respiratory effect to a non-compliant subject. The CTS 6340 has a 1-5 second discharge time and discharges OC vapor through three emission ports.
- xiii. Defense Technology First Defense 1.3% MK-9 Stream, Gel, or Foam OC Aerosol, #56895, 56591, 56891, 56792 | Cost: \$47.32 each | Quantity: Not to exceed 12 | The MK-9 features an easy to use trigger handle, is intended for use in crowd management, and will deliver 14 short bursts of OC at an effective range of 18-20 ft. This 1.3% MC OC aerosol product utilizes a stream delivery method providing a target-specific, strong concentrated stream for greater standoff.
- xiv. Defense Technology 1.3% MK-46V Stream OC Aerosol, #43046 | Cost \$380.85 each | Quantity: Not to exceed 6 | The MK-46 features a trigger handle, is intended for use in

crowd management, and will deliver 26 short bursts of OC at an effective range of 25-30 ft. This 1.3% MC OC aerosol product utilizes a stream delivery method providing a target-specific, strong concentrated stream for greater standoff.

b. Purpose

Chemical agents may be used for crowd control, crowd dispersal, or against barricaded suspects based on the circumstances. This is done to limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Absent exigent circumstances, only sworn members who have completed Department-approved training may be issued, use or carry chemical agents. These chemical agents can also be used for training exercises or approved demonstrations.

d. Training

Sworn members utilizing chemical agent canisters must be certified by a Department chemical agent instructor during orientation and during reoccurring Department in-service training. Additionally, members of the SPD SWAT Team will receive training on chemical agents bi-yearly and that training will be conducted by a certified chemical agent instructor in two-hour blocks.

e. Expected Lifespan

- i. Defense Technology Pocket Tactical Grenade, CS, #1016: 5 years
- ii. Defense Technology Pocket Tactical Grenade, Saf-Smoke: #1017: 5 years
- iii. Defense Technology Spede-Heat Continuous Discharge Chemical Grenade, CS: #10725: 5 years
- iv. Defense Technology Large Style Maximum Smoke: #1073: 5 years
- v. Defense Technology Maximum HC Smoke Military-Style Canister: #1083: 5 years
- vi. Defense Technology Stinger CS Rubber Ball Grenade: #1088: 5 years
- vii. Defense Technology Han-Ball Rubber Ball Grenade, CS: #1092: 5 years
- viii. Defense Technology Han-Ball Grenade, Saf-Smoke: #1093: 5 years
- ix. Defense Technology OC Aerosol Grenade Fogger, 1OZ: #56814: 5 years
- x. Defense Technology OC Aerosol Grenade Fogger, 6OZ: #56854: 5 years
- xi. Combined Tactical Systems (CTS) CS Baffled Canister Grenade, Pyro, Low-Flame: 5230B: 5 years
- xii. Combined Tactical Systems (CTS) OC Vapor Grenade: 6340: 5 years
- xiii. Defense Technology First Defense 1.3% MK-9 Stream, Gel, or Foam OC Aerosol: #56895, 56591, 56891, 56792: 5 years
- xiv. Defense Technology 1.3% MK-46V Stream OC Aerosol: #43046: 5 years

f. Fiscal Impact

Expected annual cost of \$2,500 to \$10,000 to replenish used stock (including training deployments)

g. Legal and Procedural Rules

Use is established under the Manual (Use of Force, Chemical Agents, and Oleoresin Capsicum - OC). It is the policy of the Department to utilize chemical agents only for official law enforcement purposes, and according to State and Federal law, including those regarding the use of force.

10. Chemical Agent Launcher: Cups that attach to 12 gauge less-lethal shotguns which allow officers to launch canisters of chemical agents or smoke.

a. Description, quantity, capabilities, and purchase cost

- i. Combined Tactical Systems (CTS) LC5 Launching Cup | Cost: \$302 each | Quantity: | Quantity: Not to exceed 6 | The CTS LC5 Launching Cup is designed for the 5200 series chemical agent grenades. The cup can be attached to virtually any 12 gauge shotgun and it launches cartridges for crowd management or as a diversionary device.
- ii. Defense Technology 12-Gauge Muzzle Bang/Launching Cartridge, #1210 | Cost: \$6.64 each | Quantity: Not to exceed 160 | The 12-Gauge Muzzle Bang Launching Cartridge incorporates an opaque shell and utilizes black powder as the propellant. The 12-Gauge Muzzle Bang Launching Cartridge is designed to be launched from a launching cup and produces 170 dB of sound output. It is designed to be aimed at the floor or wall at a 45 degree angle. It is used as a crowd management tool by law enforcement and corrections in crowd control situations as a means of warning, intimidation, or diversion. It may be deployed in the air over crowds or to the side for dissuading movement in a given direction. It may also be deployed to the far side of buildings to divert the attention away from an approach or entry.
- b. Purpose
May be used for crowd control, crowd dispersal, riots, or against barricaded suspects based on the circumstances. It can also be used in circumstances where a tactical advantage can be obtained or during civil unrest incidents. This is done to limit the escalation of conflict where employment of lethal force is prohibited or undesirable.
- c. Authorized Use
Absent exigent circumstances, only sworn members who have completed Department-approved training may be issued or use CTS LC5 Launching Cups.
- d. Expected Lifespan
 - i. CTS LC5 Launching Cup: 25 years
 - ii. 12-Gauge Muzzle Bang / Launching Cartridge: Until used
- e. Fiscal Impact
 - i. Launching Cups: Expected annual cost of \$0 to \$100 for maintenance
 - ii. Cartridges: Expected annual cost of \$100 to \$300 for training and to replenish used stock (including training deployments)
- f. Training
Sworn members utilizing CTS LC5 Launching Cups and 12-Gauge Muzzle Bang / Launching Cartridges must be certified by a certified chemical agent/diversionary device instructor. Additionally, members of the SPD SWAT Team will receive training on CTS LC5 Launching Cups bi-yearly and that training will be conducted by a POST-certified chemical agent/diversionary device instructor in two-hour blocks.
- g. Legal and Procedural Rules
Use is established under the Manual (Use of Force and Chemical Agents). It is the policy of the Department to utilize CTS LC5 chemical agent launching cups only for official law enforcement purposes, and according to State and Federal law, including those regarding the use of force.

11. Specialty Impact Munitions (SIMs) - 40mm Launchers and Munitions: These devices are considered less lethal and are used to gain compliance from an individual who is violently or actively resisting. The use of such a device is intended to mitigate the number of serious injuries to officers, the subject, and other individuals.

- a. Description, quantity, capabilities, and purchase cost
 - i. 40MM LMT™ Tactical Single Launcher I425, Expandable Stock | Cost: \$1,200 each | Quantity: Not to exceed 40 | The 40LMT is a tactical single-shot launcher that features

an expandable Rogers Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two-point sling attachment. The 40LMT will fire standard 40mm less-lethal ammunition, up to 4.8 inches in cartridge length.

- ii. Penn Armas 40MM Multi-Shot, Pump Advance Launcher - 5" Cylinder | Cost: \$3,336 each | Quantity: Not to exceed 6 | A 40mm pump-action advance magazine drum launcher with a fixed stock and combo rail. It has a six-shot capacity 5" cylinder and a 10.75" rifled barrel. The PGL-65 features include a Double-action trigger, trigger lock push button, and hammerlock safeties.
- iii. Defense Technology 40MM eXact iMPact™ Sponge Round: #6325 | Cost: \$20.79 each | Quantity: Not to exceed 1,000 | The 40 mm exact iMPact™ Sponge Round is a "point-of-aim, point-of-impact" direct fire round that is most commonly used by tactical teams in situations where maximum deliverable energy is desired for the incapacitation of an aggressive, non-compliant subject. The 40 mm exact iMPact™ Sponge Round is intended for direct fire deployment. These areas provide sufficient pain stimulus, while greatly reducing serious or life-threatening injuries. The 40 mm exact iMPact™ Sponge Round can also be deployed in crowd control situations to protect the riot line, cover or enhance chemical munitions, or target specific agitators and organizers of the crowd. When used in this fashion, it is primarily both a psychological deterrent and physiological distraction serving as a pain compliance device to either get the crowd or subject moving or keep them at a designated distance.
- iv. Defense Technology 40MM eXact iMPact™ LE 40MM Extended Range Sponge Round: #6325LE | Cost: \$23.52 each | Quantity: Not to exceed 150 | The eXact iMPact™ 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consists of a plastic body and sponge nose. It can be launched at a greater distance to provide further separation from officers. Used for crowd control, patrol, and tactical applications.
- v. Defense Technology 40MM Direct Impact® OC Round: #6320 | Cost: \$20.79 each | Quantity: Not to exceed 1,000 | A less lethal 40 mm lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40 mm grenade launcher with a rifled barrel at 295 feet per second (FPS). The 39-gram crushable foam projectile delivers 120 ft./lbs. of energy upon impact in addition to the dispersion of 5 grams of OC Irritant. The 40 mm Direct Impact OC round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
- vi. Defense Technology 40MM Direct Impact® OC Adjustable Range Round: #6320A | Cost: \$37.95 each | Quantity: Not to exceed 150 | The 40mm Direct Impact® Adjustable Range Round consists of a plastic body and a crushable foam nose that contains a powder payload. This payload contains an OC powder. The crushable foam nose dissipates energy upon impact while releasing the powder payload. The projectile design has a unique user-adjustable patented gas-bleed feature, which allows kinetic energy to be adjusted for two design points addressing close-in and extended range engagements. In the opened position, the standard range velocity allows for engagements of 1.5 – 40 meters. In the closed position, the extended range velocity allows for engagements of 40 – 70 meters.
- vii. Defense Technology 40MM Direct Impact® CS Round: #6322 | Cost: \$20.79 each | Quantity: Not to exceed 1,000 | A less lethal 40 mm lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40 mm grenade launcher

with a rifled barrel at 295 feet per second (FPS). The 39-gram crushable foam projectile delivers 120 ft./lbs. of energy upon impact in addition to the dispersion of 5 grams of CS irritant. The 40MM Direct Impact CS round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.

- viii. Defense Technology Direct Impact® 40MM Adjustable Range Round, CS Marking: #6322A | Cost: \$37.95 each | Quantity: Not to exceed 150 | The 40mm Direct Impact® Adjustable Range Round consists of a plastic body and a crushable foam nose that contains a powder payload. This payload is a marking and CS powder. The crushable foam nose dissipates energy upon impact while releasing the powder payload. The projectile design has a unique user-adjustable patented gas-bleed feature, which allows kinetic energy to be adjusted for two design points addressing close-in and extended range engagements. In the opened position, the standard range velocity allows for engagements of 1.5 – 40 meters. In the closed position, the extended range velocity allows for engagements of 40 – 70 meters.
- ix. Defense Technology Ferret 40MM CS Liquid Barricade Penetrator Round, #2262 | Cost: \$22.84 each | Quantity: Not to exceed 500 | The Ferret® 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed 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.
- x. Defense Technology Ferret 40MM CS Powder Barricade Round, #2292 | Cost: \$22.15 each | Quantity: Not to exceed 500 | The Ferret® 40 mm Barricade Penetrating Round is filled with a CS powder chemical agent. It is a frangible projectile that is spin-stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impact, the nose ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

b. Purpose

The use of these devices is intended to mitigate the number of serious injuries to officers, the subject, and other individuals. The devices limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Approved SIM projectiles may be used in any of the following circumstances when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to:

- i. Control a subject who is violent or is actively resisting
- ii. Control a subject who has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others
- iii. Disarm a suspect or control a subject who is reasonably believed to be armed
- iv. Stop a fleeing subject who is wanted for a serious crime (Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of a SIM to apprehend an individual)

- v. Gain compliance during tactical situations that include but are not limited to a riot or civil unrest
- vi. Control dangerous animals
- vii. Be used on objects to gain a tactical advantage (e.g., windows, lights, etc.)
- viii. Training exercises or approved demonstrations
- d. Expected Lifespan
 - i. LMT 40mm Launchers: At least 15 years
 - ii. Penn Arms 40 mm Multi-Shot, Pump Advance Launcher, 5" Cylinder: At least 15 years
 - iii. Defense Technology 40MM eXact iMPact™ Sponge Round: #6325: 5 years
 - iv. Defense Technology 40MM eXact iMPact™ LE 40MM Extended Range Sponge Round: #6325LE: 5 years
 - v. Defense Technology 40MM Direct Impact® OC Round: #6320: 5 years
 - vi. Defense Technology 40MM Direct Impact® OC Adjustable Range Round: #6320A: 5 years
 - vii. Defense Technology 40MM Direct Impact® CS Round: #6322: 5 years
 - viii. Defense Technology Direct Impact® 40MM Adjustable Range Round, CS Marking: #6322A: 5 years
 - ix. Defense Technology Ferret 40MM CS Liquid Barricade Penetrator Round, #2262: 5 years
 - x. Defense Technology Ferret 40MM Powder Barricade Round, #2292: 5 years
- e. Fiscal Impact
 - i. Launchers: Annual maintenance is approximately \$0 to \$100 for each launcher
 - ii. Munitions: Expected annual cost of \$2,000 to \$5,000 to replenish used stock (including training deployments)
- f. Training
All officers receive training on the use of the 40mm LMT launcher with the sponge (#6325) and OC round (#6320). This training occurs during orientation and through reoccurring in-service training taught by Department instructors. SWAT personnel receive additional training internally when they transfer to the unit to include the Penn Arms launcher, CS rounds, barricade rounds, and the other rounds listed. SWAT operators who utilize these munitions have completed an approved chemical agent school and/or training facilitated by a Department-certified chemical agent instructor.
- g. Legal and Procedural Rules
Use is established under the Manual (Use of Force, Specialty Impact Munitions (SIM) Less-Lethal, Chemical Agents, and Oleoresin Capsicum – OC). It is the policy of the Department to utilize the SIM launchers and munitions only for official law enforcement purposes and according to State and Federal law, including those regarding the use of force.

12. Specialty Impact Munitions (SIMs) - 12 Gauge "Bean Bag" Launchers and Munitions:

These devices are considered less lethal and are used to gain compliance from an individual who is violently or actively resisting. The use of such a device is intended to mitigate the number of serious injuries to officers, the subject, and other individuals.

- a. Description, quantity, capabilities, and purchase cost
 - i. Mossberg 590 12-Gauge Shotgun (Standard Department-issued with color marking to signify its use as less-lethal) | Cost: \$645 each | Quantity: Not to exceed 30 | The Mossberg 590 Less Lethal Shotgun is used to deploy the 12-Gauge Drag Stabilized Round up to 75 feet. The range of the weapon system helps to maintain space between officers and an individual, reducing the immediacy of the threat which is a principle of de-escalation.

- ii. Defense Technology 12-Gauge Drag Stabilized Round, #3027 | Cost: \$5.34 each | Quantity: Not to exceed 1,000 | The Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear-shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant. This round has a velocity of 270fps with a maximum effective range of 75 feet.
- b. Purpose

The use of such a device is intended to mitigate the number of serious injuries to officers, the subject, and other individuals. The devices limit the escalation of conflict where employment of lethal force is prohibited or undesirable.
- c. Authorized Use

Approved SIM projectiles may be used in any of the following circumstances when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to:

 - i. Control a subject who is violent or is actively resisting
 - ii. Control a subject who has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others
 - iii. Disarm a suspect or control a subject who is reasonably believed to be armed
 - iv. Stop a fleeing subject who is wanted for a serious crime (Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of a SIM to apprehend an individual)
 - v. Gain compliance during tactical situations that include but are not limited to a riot or civil unrest
 - vi. Control dangerous animals
 - vii. Be used on objects to gain a tactical advantage (e.g., windows, lights, etc.)
 - viii. Training exercises or approved demonstrations
- d. Expected Lifespan
 - i. Mossberg 590 Shotgun (Standard department-issued): At least 15 years
 - ii. Defense Technology 12-Gauge Drag Stabilized Round: 5 years
- e. Fiscal Impact
 - i. Shotgun: Annual maintenance is approximately \$0 to \$50 for each shotgun
 - ii. Ammunition: Expected annual cost of \$200 to \$1,000 to replenish used stock
- f. Training

All officers are trained in the 12-gauge Mossberg 590 less-lethal shotgun with the 12-gauge drag-stabilized round. This training occurs during orientation and through reoccurring in-service training taught by Department instructors.
- g. Legal and Procedural Rules

Use is established under the Manual (Use of Force and Specialty Impact Munitions (SIM) Less-Lethal). It is the policy of the Department to utilize the SIM launchers and munitions only for official law enforcement purposes and according to State and Federal law, including those regarding the use of force.