

Military Equipment

709.1 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).

709.1.1 DEFINITIONS

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

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

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

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

La Palma Police Department

La Palma PD Policy Manual

Military Equipment

709.2 POLICY

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

709.3 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 La Palma 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.

709.4 MILITARY EQUIPMENT INVENTORY

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

(See attachment "A")

709.5 APPROVAL

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

La Palma Police Department

La Palma PD Policy Manual

Military Equipment

- (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.

709.6 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. 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.

709.7 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.

709.8 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.



LA PALMA POLICE DEPARTMENT

Military Equipment List

(Attachment A) MILITARY EQUIPMENT INVENTORY - The following constitutes an inventory of what has been deemed to be previously purchased military equipment as defined by policy 709.1.1:

(CATEGORY 1) UNMANNED AIRCRAFT SYSTEMS (UAS)

Description and Capabilities: UAS is an unmanned battery powered aircraft and the equipment necessary for the safe and efficient operation of the aircraft. Remote controls allow operators to control the UAS, view live feed from UAS-mounted cameras, and record images. The La Palma Police Department currently utilizes the DJI Mavic Mini and Mavic 2 UAS.

Quantity: 2.

Expected Lifespan: 5 years.

Purpose: To assist police personnel in enhancing public safety while protecting the rights and privacy of the general public. The appropriate use of UAS include but are not limited to:

1. Crime scene and traffic collision scene investigations.
2. Critical incident management.
3. Searches for lost or missing persons.
4. Searches for evidence.
5. Natural disaster evaluation and response.
6. Searches for suspects who are believed to be hiding within a defined perimeter.

Authorized Use: Only authorized operators who have completed the required training shall be permitted to operate the UAS in accordance to department policy.

Initial Cost: \$5,300.

Annual Upkeep Costs: \$1,000.

(CATEGORY 5) MOBILE COMMAND VEHICLE

Description and Capabilities: A vehicle used to enhance communication and coordination during emergency incidents, special events, or community outreach. The La Palma Police Department currently utilizes a Fleetwood brand motorhome Mobile Command Vehicle.

Quantity: 1

Expected Lifespan: 20 years

Purpose: To be used when deemed necessary during critical incidents, large events, natural disasters, or community events.

Authorized Use: Class C driver license and department provided training.

Initial Cost: \$149,000. (Nearly one-hundred percent of the costs were paid through state and federal grants)

Annual Upkeep Costs: \$1,000.

(CATEGORY 10) FIREARM – RIFLE

Description and Capabilities: Firearm designed and intended to be fired from the shoulder and designed to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

The La Palma Police Department currently has and uses twenty-five Colt and Bushmaster AR-15 patrol rifles that utilize .223 or 5.56 caliber rifle rounds. The SWAT team has one DPMS Panther Arms rifle that utilizes .308 caliber rifle rounds. The Department has one select fire Heckler & Koch MP-5 rifle that utilizes 9mm pistol rounds.

Quantity: 27

Expected Lifespan: 20 years

Purpose: Officers may deploy the rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include, but are not limited to:

1. Situations where the officer reasonably anticipates an armed encounter.
2. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
3. When an officer reasonably believes that a suspect may be wearing body armor.

Authorized Use: Only officers who complete the 16-hour POST approved course and department approved training are qualified to deploy the rifle in accordance to department policy.

Initial Cost: Approximately \$35,000.

Annual Upkeep Costs: \$25.00 per rifle.

(CATEGORY 12) NOISE FLASH DIVERSIONARY DEVICE (NFDD)

Description and Capabilities: Device that produces a loud sound with a bright light that is intended to cause confusion and distraction to divert a suspect(s) attention away from SWAT Officers. The La Palma Police Department currently uses the Defense Technology Low Roll II NFDD.

Quantity: 11

Expected Lifespan: Until used.

Purpose: To distract/disorient potentially violent or dangerous suspects. Justifying the use of the NFDD include but are not limited to:

1. Barricaded suspect and/or hostage situations
2. High-Risk warrant services
3. Riotous situations

Authorized Use: NFDD can only be used by members who have been trained in their proper use.

Initial Cost: \$50.00 each

Annual Upkeep Costs: N/A

(CATEGORY 14) LESS LETHAL SHOTGUN

Description and Capabilities: The Less lethal Shotgun is used to deploy the less lethal 12-gauge bean bag round up to a distance of 75 feet. The range of the weapon system helps maintain space between officers and a suspect, reducing immediacy of the threat which is a principle of de-escalation. The La Palma Police Department currently uses the Remington 870 less lethal shotgun with Super-Sock and Accusox brand bean bag rounds with a current munition inventory of 164 duty rounds and 132 training rounds.

Quantity: 7

Expected Lifespan: 25 years

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less lethal weapon system may include but are not limited to:

1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
2. The suspect has made credible threats to harm him/herself or others.
3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

Authorized use: Only Officers who have received department training in the use of the less lethal shotgun are authorized to use them.

Initial Cost: \$400.00 per shotgun.

Annual Upkeep Costs: \$25.00 per shotgun.