

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.

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709.2 POLICY

It is the policy of the Angels Camp 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 Angels Camp 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 Attachments

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):

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

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.

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.

709.9 USE IN EXIGENT CIRCUMSTANCES

In exigent circumstances and with the approval of the Chief of Police or authorized designee, the Police Department may acquire, borrow and/or use military equipment that is not included in the Military Equipment Use Policy.

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If the Police Department acquires, borrows, and/or uses military equipment in exigent circumstances, in accordance with this section, it must take all of the following actions:

- Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such exigent circumstances, unless such information is confidential or privileged under local, state or federal law
- If it is anticipated that the use will continue beyond the exigent circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
- Include the military equipment in the Police Department's next annual Military Equipment Report.

[See attachment: Military Equip Attachment.pdf](#)

Attachments

Military Equip Attachment.pdf

Equipment Name:	Remington 870 Bean Bag Launcher
Quantity Owned/Sought:	4 of 4
Lifespan:	20 Years
Equipment Capabilities:	Launches less-lethal bean bag rounds
Manufacturer Product Description:	Pump action 12 gauge
Purpose/Authorized Uses:	Less lethal kinetic energy projectile launcher
Fiscal Impacts (Initial/Annual)	\$2,000
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	Internal proficiency training by a certified instructor
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process

Equipment Name:	CTS SuperSock 2581
Quantity Owned/Sought:	50 of 75
Lifespan:	5 years
Equipment Capabilities:	Momentarily incapacitate violent, non-compliant subjects.
Manufacturer Product Description:	Less-lethal kinetic impactt munition
Purpose/Authorized Uses:	Momentarily incapacitate violent, non-compliant subjects.
Fiscal Impacts (Initial/Annual)	\$500 for full stock
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	Internal proficiency training by a certified instructor
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process

Equipment Name:	CTS Penn Arms 40mm launcher
Quantity Owned/Sought:	1 of 1
Lifespan:	20 Years
Equipment Capabilities:	Launches 40mm foam kinetic energy projectiles.
Manufacturer Product Description:	A 40mm, break action loading, pump action cylinder advance launcher w/RIF barrel and red dot sight.
Purpose/Authorized Uses:	Momentarily incapacitate violent, non-compliant subjects.
Fiscal Impacts (Initial/Annual)	\$3,500
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	Internal proficiency training by certified less lethal instructor.
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process

Equipment Name:	CTS 4557 Foam Baton
Quantity Owned/Sought:	5 of 50 on hand at any given time.
Lifespan:	5 years
Equipment Capabilities:	Momentarily incapacitate violent, non-compliant subjects.
Manufacturer Product Description:	Spin stabilized projectile model CTS 4557
Purpose/Authorized Uses:	Momentarily incapacitate violent, non-compliant subjects.
Fiscal Impacts (Initial/Annual)	\$1750 for full stock
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	Internal proficiency training by certified less lethal instructor
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process

Equipment Name:	40mm OC Liquid
Quantity Owned/Sought:	2 of 5 to be had on hand at any given time
Lifespan:	5 years
Equipment Capabilities:	Liquid OC filled projectile penetrates intermediate barriers and delivers irritant agents into adjacent room.
Manufacturer Product Description:	Model 4340
Purpose/Authorized Uses:	To assist in gaining compliance from individuals for to safely take them into custody during dangerous situations.
Fiscal Impacts (Initial/Annual)	Approximately \$200 for a full stock.
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	At least one member is sent to chemical agent instructor course. That person provides ongoing training to team members.
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process

Equipment Name:	40mm OC Powder
Quantity Owned/Sought:	2 of 5 to be had on hand at any given time
Lifespan:	5 years
Equipment Capabilities:	Powder OC filled projectile penetrates intermediate barriers and delivers irritant agents into adjacent room.
Manufacturer Product Description:	Model 4441
Purpose/Authorized Uses:	To assist in gaining compliance from individuals for to safely take them into custody during dangerous situations.
Fiscal Impacts (Initial/Annual)	Approximately \$200 for a full stock.
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	At least one member is sent to chemical agent instructor course. That person provides ongoing training to team members.
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process

Equipment Name:	Flashbang Steel Body
Quantity Owned/Sought:	12 of 12 to be had on hand at any given time.
Lifespan:	5 years
Equipment Capabilities:	Produces distraction by way of loud noise and bright flash.
Manufacturer Product Description:	The CTS 7290 produces an 165-180db and 6-8 million candela of light output.
Purpose/Authorized Uses:	To create a distraction in order to safely secure suspects or rescue hostages during dangerous situations.
Fiscal Impacts (Initial/Annual)	Approximately \$500 for full stock.
Legal/Procedural Rules Governing Use:	All applicable state, Federal and local laws governing equipment use and use of force as well as internal applicable Angels Camp policies.
Training Required:	At least one member is sent to diversion device instructor course. That person provides ongoing training to team members.
Other Notes:	
Complaint Process:	Angels Camp Personnel Complaint Process