

MILITARY EQUIPMENT

705.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, use and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

705.1.1 DEFINITIONS

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

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

POST –Police Officers Standards and Training

Military equipment – Includes but is not limited to the following items or as amended in California Government Code Section 7070:

- 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 service weapons.
- 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.

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- Any other equipment as determined by a governing body or a state agency to require additional oversight.

705.2 POLICY

It is the policy of the Hanford Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment. This is to be accomplished by:

- (a) An annual report documenting each use of military equipment throughout the year to the Hanford City Council.
- (b) A complaint procedure, for citizens to report possible misuse of military equipment by police personnel. This complaint procedure is outlined in the Hanford Police Department General Orders Manual 1020 Personnel Complaints. These complaints related to military equipment and the outcome of each complaint shall be reported to the Hanford City Council on an annual basis.

705.3 MILITARY EQUIPMENT COORDINATOR

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

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Hanford Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - I. Publicizing the details of the meeting.
 - II. 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) The complaint procedure will follow the personnel complaint procedure as outlined in Section 1020 of the Hanford Police Department Policy manual.
- (h) Ensure publication of the annual military equipment report submitted to and approved by the Hanford City Council.

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705.4 MILITARY EQUIPMENT USE POLICY

Pursuant to California Government Code §7070, the Police Department will submit a Military Equipment Use Policy for approval to the Hanford City Council annually.

705.5 APPROVAL

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

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

705.6 USE IN EXIGENT CIRCUMSTANCES

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

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 Circumstance, 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.

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- Include the Military Equipment in the Police Department's next annual Military Equipment Report.

705.7 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction 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.

705.8 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.

705.9 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.

705.10 MILITARY USE EQUIPMENT

A. Unmanned Aircraft Systems (UAS)

- (a) Description, quantity, life span, capabilities and purchase cost.
 - I. DJI Mavic Air, cost:444.00, Quantity 1, 30-minute flight time, record video/audio
 - II. DJI Matrice, cost: 5000.00, Quantity 1, 55-minute flight time., record video
- (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 crime investigations
- II. Search for missing persons
- III. Natural disaster management
- IV. Crime scene photography

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- V. SWAT, tactical or other public safety and life preservation missions
- VI. In response to specific requests from local, state and federal authorities for fire response and/or prevention
- VII. At the request of another city department to assist with a legitimate City aerial photography needs.

- VIII. Search and/or rescue operations.

- IX. Public presentations with department approval

- c. Authorized use

Only assigned operators who have completed and receive regular quarterly training on its use and possess a certification of waiver and authorization through the FFA

- (d) Expected Life Span

All UAS equipment has an expected lifespan of 5-7 years.

- (e) Legal and Procedural Rules

Use is established under FAA regulation 14 CFR Part 107 and the Hanford Police Department UAS Policy. It is our policy that UAS equipment is to be used for official purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

- B. 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, life span, capabilities and purchase cost

- I. Recon Scout, cost: \$3000.00, Quantity 1, 30-yard range, hand-held throwable, relays video/audio

- (b) Purpose

To be used to gain visual and audio data.

- I. Major crime investigations

- II. Search for persons

- III. Natural disaster management

- IV. SWAT, tactical or other public safety and life preservation missions

- V. In response to specific requests from local, state and federal authorities

- VI. Search and/or rescue operations.

- VII. Public presentations with department approval.

- c. Authorized use

Only assigned operators who have received training on its use and policy.

- (d) Expected Life Span

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All robot's equipment have an expected lifespan of 10 years or until no longer usable

(e) Legal and Procedural Rules

It is our policy that all robot equipment is to be used for official purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

C. Armored Vehicles: Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes

(a) Description, quantity, life span, capabilities, and purchase cost

I. MRAP (Mine Resistant Ambush Protected) Manufactured by Navistar for the U.S. Military. Acquired for free through the DRMO process. Estimated value of \$900,000.00., Quantity 1, Seats 16 personnel with an open floor plan. It is capable of stopping a wide variety of projectiles beyond what a vest or shield is capable of.

II. ARV (Armored Response Vehicle) manufactured by Supreme Corporation. Quantity 1, Cost \$400,000.00, Seats 10 with an open floor plan. It is capable of stopping a wide variety of projectiles beyond what a vest or shield is capable of.

(b) Purpose

To be used to respond to critical incidents and to enhance officer and community safety. To improve scene containment and stabilization, and assist in resolving critical incidents. The types of incidents these vehicles respond to are:

I. High Risk Search Warrants involving SWAT operations.

II. High Risk Search for persons

III. Natural disaster management

IV. SWAT, tactical or other public safety and life preservation missions

V. In response to specific requests from local, state and federal authorities

VI. Search and/or rescue operations.

VII. Approved equipment request from an outside jurisdiction related to high-risk operations

VIII. Public relations events such as national night out and other community events for people to see and understand it's use.

c. Authorized Use

The use of the armored vehicles is only authorized by the Chief of Police or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall only be used for deployment by officers trained in their use by the department.

(d) Expected Lifespan

Armored vehicles have a 25-year lifespan.

(e) Fiscal Impact

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Annual Maintenance costs:

I. MRAP - \$5000.00

II. ARV - \$15,000

(f) Training

All Drivers/Operators shall attend formalized department or other approved training in the vehicle's operation, capabilities and practical driving instruction.

(g) Legal and Procedural Rules

It is our policy that all Armored Vehicles are to be used for official purposes pursuant to State and Federal law.

D. 40MM Launchers and rounds used to launch impact and gas rounds.

(a) Description, quantity, life span, capabilities and purchase cost

I. Defense Technologies, 40MM single shot launcher, cost \$1000.00, Quantity 4. The 40MM Tactical launcher is a single shot launcher and features an expandable stock and a front grip it will fire standard 40MM rounds up to 4.8 inches in length up to 131 feet. The tactical launcher is only authorized to be used by swat personnel on approved missions and training.

II. 40MM Ferret CS or gas rounds: A less lethal rounds used to penetrate barriers such as windows, hollow core doors, wallboard, and thin plywood. Cost: \$30.00, quantity 105. Upon impact the nose cone delivers a small chemical payload into a structure or vehicle. The working range is 5 feet to 120 feet from the target.

III. Spede heat CS or gas canister. Cost: \$30.00, quantity 5 used in crowd control situations to with a high-volume burn that expels its gas or smoke in 20-40 seconds used to disperse large crowds, conceal tactical movements or to route a crowd.

IV. Defense technologyFlameless tri chamber gas canisters. Cost: \$30.00, quantity 21. A less lethal munition dispensed into a vehicle or residence. Due to flameless technology, it is not prone to igniting other nearby objects and starting a fire.

(b) Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or to attempt to prevent the escalation of a situation to the point of using lethal force.

(c) Authorized Use

Situations for use of the less lethal weapons system may include, but are not limited to:

I. High Risk Search Warrants involving SWAT operations.

II. High Risk Search for persons

III. In response to specific requests from local, state, and federal authorities

IV. Approved equipment request from an outside jurisdiction related to high-risk operations

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V. Self-destructive, dangerous and/or combative individuals

VI. Riot/Crowd control and civil unrest incidents.

VII. To obtain a tactical advantage.

VIII. Potentially vicious animals.

IX. Training exercises or approved demonstrations.

d. Expected Lifespan

40MM rounds have a 5-year life span.

(e) Fiscal Impact

Annual Maintenance costs of \$1500.00, 50 rounds purchased annually.

(f) Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by department less lethal and chemical agents instructors. All chemical agent deployments are to be reviewed by Chemical agent instructors who have been to a 40 Hour Peace Officer Standards and Training course on chemical agent use and deployment.

(g) Legal and Procedural Rules

It is our policy that all 40MM chemical, impact and gas rounds are for official law enforcement purposes and are used consistent with department orders and state/federal law, including those regarding the use of force.

E. Less Lethal Shotgun: Used to deploy the less lethal 12-gauge Super-Sock Beanbag Round and Royal Arms, 420 grain Copper Frangible Barricade Breaching Rounds.

(a) Description, quantity, capabilities, and purchase cost

I. Remington 870 Less lethal Shotgun, Cost \$1000.00 Quantity 8. The Remington 870 is used to deploy Super Sock Beanbag rounds up to an effective distance of 75 feet.

The range of the weapon system helps to maintain space between the officers and a suspect reducing the immediacy of the threat and possibly preventing the deployment of lethal force options.

II. Remington 12gauge stockless shotgun for barricade breaching rounds, Cost 800.00, Qty 2. This weapon system is only utilized by the SWAT Team on approved missions and in training. It is a faster and effective means of defeating fortified locations.

III. 12-gauge super-sock beanbag round. Cost \$5.00, Qty 2000 rounds. A less lethal; 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of shot.

Fired at a speed of 270-290 feet per second it has an effective range of between 5-75 feet. Effective range is dependent upon a variety of variables such as distance, clothing, stature, and point of impact. All less lethal shotguns firing this munition are distinguished by orange slings and orange stocks which are indicative of a less lethal weapon. All less lethal identified shotguns are never to fire live rounds other than the super sock or other approved less lethal round for any reason.

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(b) Purpose

To limit the escalation of a conflict where employment of lethal force is prohibited or undesirable. Breaching ammunition may be used to breach entry obstacles.

(c) Authorized use

Only assigned operators who have received training on its use and policy.

(d) Expected Life Span

No expiration on lifespan.

(e) Fiscal Impact

I. Annual Cost of \$200.00 for breaching ammunition.

II. Annual cost of \$2000.00 for less lethal shotgun rounds.

(f) Training

I. Breaching instructors must complete an approved training course for this specialized tool. They must also train at least twice a year on its operations. This tool is only used on approved SWAT operations.

II. The less lethal shotguns shall only be used by sworn personnel who have received annual training from the department. The training is conducted annually and shall review policy and contain a course of live fire.

(g) Legal and Procedural Rules

It is our policy that all less lethal and breaching shotguns are to be used for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

F. Distraction Devices: A device used to distract dangerous persons.

(a) Description, quantity, life span, capabilities, and purchase cost

I. Combined tactical systems, 7290 FLASHBANG, Cost \$50.00, Quantity 55. The 7290 Flash-Bang emits an output of 175db and produces 6-8 million candelas of light.

(b) Purpose

A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high risk arrest situations. To produce an atmospheric overpressure and brilliant white light and as a result, can cause short term (6-8 Seconds) physiological/psychological sensory deprivation to give officer a tactical advantage.

(c) Authorized Use

Situations for use of the less lethal weapons system may include, but are not limited to:

I. By officers who have been trained in their proper use.

II. High Risk Search Warrants involving SWAT operations.

III. In hostage and barricaded subject situations.

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IV. To obtain a tactical advantage in a high-risk situation where there may be extreme hazards to the officers.

V. During training exercises.

d. Expected Lifespan

Until used.

(e) Fiscal Impact

Annual Maintenance costs of \$1500.00, 30 rounds purchased annually.

(f) Training

Prior to use officers must attend diversionary training conducted by POST certified instructors.

(g) Legal and Procedural Rules

It is our policy that all distraction devices are for official law enforcement purposes and are used consistent with department orders and state/federal law, including those regarding the use of force.

G. Mobile Incident Command Vehicle (MIC):

a. Description, quantity, life span, capabilities, and purchase cost

I. Freightliner Chassis (Custom Built) vehicle, cost \$450,000.00. Quantity 1, The MIC is used for SWAT/CNT and other critical incidents, preplanned large events, natural disasters, and Community events.

b. Purpose

To be used as the incident command vehicle in specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place.

c. Authorized Use

Only officers trained in the deployment and operation of the MIC consistent with department policy. Situations in which the MIC is authorized for use would include but not be limited to critical incidents, emergencies, natural disasters, and community events.

d. Expected Lifespan

Vehicle has an expected 25-year lifespan with upgrades needed to equipment every 10 years to maintain IT equipment.

e. Fiscal Impact

Annual Maintenance costs of \$5000.00.

f. Training

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The driver/operator shall receive training from a current driver/operator on its safe use and deployment. The driver/operator shall maintain a driver's license endorsement consistent with the use of this vehicle.

g. Legal and Procedural Rules

It is our policy that the MIC is for official law enforcement purposes and is to be used consistent with department orders and state law regarding the operation of vehicle

H. Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby having a greater accuracy over a long distance.

- (a) Description, quantity, capabilities, and purchase cost
 - I. AR-15's of various makes, Cost \$1200.00 Quantity 63. The range of the weapon system helps to maintain space between the officers and a suspect reducing the immediacy of the threat and possibly preventing the deployment of lethal force options.
 - II. Sig Sauer SIG716 DMR AR-10.308 Caliber, Cost \$1600.00, Qty 4. This weapon system is only utilized by the SWAT/ Sniper Team on approved missions and in training. This rifle is primarily used in an overwatch capacity to protect the community and SWAT Team during large events and other approved SWAT missions.
 - III. Speer Gold Dot.223 caliber 62 grain rifle round. Quantity 74 cases 500 rounds per case at a cost of \$285.00 per case. Remington ammunition made by Speer. Features nickel plated brass cases that are reloadable and do not corrode. Gold DOT ammunition is widely used by law enforcement as it is a quality round with excellent ballistics. The brand of round may differ as we have experienced shortages and delays in acquiring our necessary ammunition. Any replacement ammunition will be of similar quality.
 - IV. Federal.223 Caliber 55 grain rifle round. Quantity 74 cases of 500 rounds per case at a cost of \$179.00 per case. This is high quality full metal jacket round produced by Winchester. This round is safe to fire through our Rifles but is only used at the range in practice situation. This round is used in place of the Speer round as a cost saving measure as they are over \$100 cheaper per case. The brand of round may differ as we have experienced shortages and delays in acquiring our necessary ammunition. Any replacement ammunition will be of similar quality.
 - V. Federal Tru.308 168grain Tactical Tip MatchKing. Quantity 7 cases of 500 rounds at a cost of \$434.00 per case. This round is used exclusively in the AR-10 Weapon system utilized by the SWAT/Sniper Team. This round was specifically made for law enforcement and AR-10 weapons systems. It is a flat trajectory bullet with uniform loads to ensure repeatable accuracy. The brand of round may differ as we have experienced shortages and delays in acquiring our necessary ammunition. Any replacement ammunition will be of similar quality.

b. Purpose

To be used as a precision weapon to address a threat with more precision and/or distances than a handgun.

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c. Authorized use

Only members that are POST certified and department trained are authorized to use a rifle.

d. Expected Life Span

Until used..

(e) Fiscal Impact

(f) Annual Cost of approximately \$23,985.00 for ammunition. Price may vary depending upon the availability of ammunition and brands.

(g) Training

(h) Prior to use of the rifle, officers must be trained by a POST certified instructor in the operation of the rifle. Additionally, all members of the department will qualify with the rifle two times per year.

(i) The .308 rifles may only be used on SWAT missions by a SWAT member who has been to the Swat/Sniper POST certified school.

(j) Legal and Procedural Rules

Use is established by Hanford Police Department General Orders 300, Use of Force.

It is the policy of the Hanford Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. They may also be used for department approved public presentations.

705.11 MAINTENANCE OF MILITARY EQUIPMENT SUPPLY LEVELS

When stocks of perishable items have reached a level where they are nearing exhaustion based upon current supplies and projected needs. In order to maintain essential availability for Department needs the Hanford Police Department is authorized to acquire additional stock items listed here, consistent with the City of Hanford's purchasing policing.

705.12 ALTERNATIVE EQUIPMENT

- A. The Hanford Police department will review its listed military equipment annually to determine the following:
 - (a) If the equipment is still needed for its intended purpose
 - (b) If there are other alternatives to the military equipment listed.
- B. The Hanford Police Department will present this information to council annually at the same time this policy is updated.

705.13 SECTION TITLE