

Military Equipment

705.1 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).

705.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the Chowchilla Police Department (“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, excluding unarmored all-terrain vehicles and motorized dirt bikes.
- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- 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 ram that is designed to be operated by one person.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard Department-issued shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons pursuant to Penal Code sections 30510 and 30515, with the exception of standard Department-issued firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools, including, but not limited to, grenades.

- Munitions containing tear gas or oleoresin capicum (“OC”), excluding standard Department-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and Long Range Acoustic Devices (“LRADs”).
- Kinetic energy weapons and munitions, including, but not limited to, projectile launchers, bean bag rounds, and rubber bullet.
- 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 Department that Department members comply with the provisions of Government Code section 7071.

705.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a Department member 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 Department’s current possession, or the equipment that 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 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 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 Department will respond in a timely manner.

705.4 MILITARY EQUIPMENT INVENTORY

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

[See attachment](#)

705.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting this 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 Department's website at least thirty (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 Title 10 of the United States Code section 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 the governing body.
- (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 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.

705.7 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 Department 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's website for as long as the military equipment is available for use. The report shall include all information required by Government Code section 7072 for the preceding calendar year for each type of military equipment in Department's inventory.

705.8 COMMUNITY ENGAGEMENT

Within thirty (30) days of submitting and publicly releasing the annual report, 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 Department funding, acquisition, or use of military equipment.

Attachment

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 of current UAS

- i. DJI MAVIC ENTERPRISE DUALS, cost: \$3,850.00 each, quantity: 2. UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording and weighs 899 grams, approx. 30 minutes of flight time.
- ii. AUTEL EVO II – 8K, cost \$1,616.00 each, quantity: 2. UAS has color camera. Capable of video recording and weighs approximately 1127 grams, with approximately 40 minutes of flight time.
- iii. DJI MAVIC MINI, \$499.00 each, quantity 2. UAS has color video recording capabilities. UAS weighs approximately 249 grams with approximately 30 minutes of flight time.

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. SWAT, tactical or other public safety and life preservation missions.
- vi. In response to specific requests from local, state or federal fire authorities for fire response and/or prevention.

c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the DJI Mavic Mini during approved missions.

d. Expected Life Span

All UAS equipment, 3 to 5 years.

e. Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$1,500.00.

f. Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend a 40-hour department training and ongoing quarterly training.

g. Legal and Procedural Rules

Use is established under General Order 525.09, FAA Regulation 14 CFR Part 107, and the Chowchilla Police Department UAS policy. It is the policy of the Chowchilla Police Department to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

2. Less Lethal Shotgun: Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round.

a. Description, quantity, capabilities, and purchase cost

- i. REMINGTON 870 LESS LETHAL SHOTGUN, cost: \$946.00, quantity: 02. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Drag Stabilized Beanbag Round up to a distance of 75-feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.
- ii. 12-GAUGE DRAG STABILIZED BEAN BAG ROUND, cost: \$5.00, quantity: 50. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270 feet per second (FPS). Drag Stabilized Bean Bag rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Model 3027 Drag Stabilized Bean Bag is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to “unfold” or “stabilize.” The Drag Stabilized Bean Bag round is a 40-Gram tear shaped bag projectile. However, accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Drag stabilized Bean Bag Round is a very accurate. However, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

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

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

d. Lifespan

Remington 870 Less Lethal
Shotgun - 25 years. Super
Drag Stabilized - No listed
expiration date.

e. Fiscal Impact

Annual maintenance is approximately \$50.00 for each shotgun.

f. Training

All officers are trained in the 12-gauge less lethal shotgun as a less lethal option by in-service training. SWAT personnel receive additional training internally when they transfer to the unit. SWAT operators who utilize these munitions have been through and successfully completed a POST approved gas school and/or trained in house by POST certified chemical agent instructors for muzzle blast training.

g. Legal and Procedural Rules

It is the policy of the Chowchilla Police Department, to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

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

a. Description, quantity, capabilities, and purchase cost

- i. Colt M4 RIFLE, cost: \$1500.00, quantity: 21. The M4 rifle, officially designated Patrol Rifle, Caliber 5.56MM.
- ii. Sig Sauer MCX, cost \$1993.93, quantity: 2, Caliber 5.56 AR-15 style rifle w/ red dot sight, suppressor and night vision capabilities designed for use for Chowchilla Police Department Officers assigned to the Madera County Regional SWAT Team.
- iii. Colt AR-10 RIFLE, cost \$4500.00, quantity: 1, Caliber .308 The Colt AR-10 with 16" Barrel, is an entry level AR-10 style rifle. This firearm is chambered in .308 Winchester/7.62 NATO Rifle and has a 16" barrel. The magazine holds up to 20 rounds of ammunition and the rifle has a collapsible stock. This rifle is primarily used in an overwatch capacity to protect the community during large events.
- iv. Federal 5.56 CALIBER 55/62 GRAIN RIFLE ROUND, cost: \$289.00 per case of 500, quantity: 20 cases. Direct impingement, gas piston, suppressed, unsuppressed, inertia, bolt, pump, supersonic, subsonic, rifle, mid-length, carbine Federal ammunition delivers superior performance for a variety of applications.
- v. Federal 40 S&W 180 gr HST JHP, cost: \$309.21 per case of 500, quantity: 20 cases.
- vi. Federal Premium 308 Winchester 168g Sierra Match king BTHP, cost: \$60.00 per box of 20, quantity: 10.

b. Purpose

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c. Authorized Use

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

d. Lifespan

Colt M4 Rifle – 15 years

Sig Sauer MCX Rifle – 15 years

Colt AR 10 Rifle – 15 years

Federal Ammunition – No expiration

e. Fiscal Impact

Annual maintenance is approximately \$50.00 for each rifle.

f. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.

g. Legal and Procedural Rules

Use is established under Chowchilla Police Department Policy. It is the policy of the Chowchilla Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use.