



MILITARY EQUIPMENT: Funding, Acquisition, and Use

8701.1 PURPOSE AND SCOPE

The purpose of this policy establishes requirement that must be met before taking several specified actions related to requesting and using military equipment.

Pursuant to Government Code 7071(a) the police division will need to obtain approval of the district's board of supervisors, prior to requesting, seeking, or using "military equipment" either permanently or temporary.

- For the purpose of this policy "military equipment" means the following:
 - (a) UAS or drones
 - (b) MRAPS or armored personnel carriers (*Standard Police Vehicles Excluded*)
 - (c) Humvees, or wheeled vehicles with breaching or entry apparatus attached
 - (d) Tracked armored vehicles providing ballistic protection
 - (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 operational by one person, are specifically excluded from this subdivision*)
 - (h) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
 - (i) Ammunition of .50 caliber or greater (Standard issue shotgun ammunition is specifically excluded from this subdivision)
 - (j) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Section 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to law enforcement officers.
 - (k) Any firearm or firearm accessory that is designed to launch explosive projectiles
 - (l) "Flashbang" grenades and explosive breaching tools, "tear gas", and "pepper balls" excluding standard, service issued "pepper spray"
 - (m) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD)



- (n) The following projectile launch platforms and their associated munitions: 40 mm projectile launchers, "bean bag", rubber bullets, and specialty impact munitions (SIM) weapons
- (o) Any other equipment as determined by the department to require additional oversight

8701.2 PUBLIC NOTIFICATION

Pursuant to Government Code 7072 the Department must submit an annual report every year, no later than November of each year, for each type of military equipment. This report will be made publicly available on the police division website by January the following year.

- The annual report must include:
 - (a) A summary of how the military equipment was used and the purpose of its use
 - (b) A summary of any complaints or concerns received concerning the military equipment
 - (c) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response
 - (d) The total annual costs for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from which source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
 - (e) The quantity possessed for each type of military equipment
 - (f) If further acquisition of military equipment is to be sought in the next year, the quantity and approximate costs shall be included for each type of equipment

Within 30-days of submitting and publicly releasing an annual military equipment report pursuant to this section, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the police division's funding, acquisition, or use of military equipment.