

Military Equipment

708.1 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).

Pursuant to AB 481 the City Council may approve the acquisition and use of military equipment if it determines all of the following:

- a) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- b) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- c) If purchasing the equipment, the equipment, is reasonably cost effective as compared to available alternatives that can achieve the same objective of officer and civilian safety; and
- d) Prior military equipment used by the US Military is consistent with the military equipment use policy of the local law enforcement; or, if not consistent, the local law enforcement agency has taken corrective action to remedy nonconforming uses and ensure future compliance.

The use of this equipment is governed by several police department policies which can be found in our policies and procedures manual.

The proposed "Use Policy" and current policies in place will safeguard the public's welfare, safety, civil rights, and civil liberties.

The following CCPD policies regulate use of this equipment and are posted on our website.

- Policy 462 – Unmanned Aerial Systems
- Policy 703 – Vehicle Use
- Policy 423 – Rapid Response and Deployment
- Policy 431 – Patrol Rifles
- Policy 308 – Control Devices and Techniques
- Policy 300 – Use of Force

708.1.1 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.

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- 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.

708.2 POLICY

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

708.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police shall 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.

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- (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 Cathedral City 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.

708.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the policy.

[See attachment: DSM 708 Military Equipment List-CCPD.pdf](#)

708.5 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.

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- (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.

708.6 COORDINATION WITH OTHER JURISDICTIONS

Through the Association of Riverside County Chiefs of Police (ARCCOPS) mutual aid agreement, all cities within Riverside County have agreed to accept the use of each law enforcement agencies Military Equipment policy related to any enforcement action throughout Riverside County.

708.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee shall submit a military equipment report to the governing body for each type of military equipment 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 shall 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.

708.1 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 shall discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Attachments

DSM 708 Military Equipment List-CCPD.pdf

Cathedral City Police Department Specialized Equipment INVENTORY

- **Unmanned, remotely piloted powered aerial vehicles**
 - Search and locate reported missing children or at-risk adults
 - Search and Rescue Operations to locate lost or Injured hikers
 - A law enforcement specific application involving Aerial DRONES are used for open terrain or large field searches as a force-multiplier to assist in high-risk apprehensions of armed or violent suspects. Aerial drones can be used as an interior search tool to locate suspects barricaded inside a residence or commercial structure.

- **Non-handheld battering rams, slugs, and breaching apparatuses that are explosive in nature**
 - Explosive breaching tools
 - Avon frangible shotgun ammunition is used to breach doors and points of entry on fortified doors or structures. The rounds are used to impact door hinges, doorknobs, and locks

- **Assault Weapons defined under PC 30510 & PC 30515**
 - Inventory includes AR style fully automatic rifles and select fire subcompact rifles.
 - Semi-automatic Benelli shotguns
 - Increased accuracy and precision at long range distances

- **Flashbang grenades and explosive breaching tools**
 - Light Sound Diversionary Device (LSDD- “Flashbangs”) are diversionary devices used to minimize risk to all parties through the temporary distraction or disorientation of armed and violent suspects that pose significant danger to the officers and community. The effects of the LSDD reduce a suspect’s reactionary capabilities and allow for momentary disorientation, which creates a tactical advantage. LSDD is a hand delivered device and generally deployed on the exterior of structures
 - Provides a humane fright of aggressive dogs that pose a threat to officers
 - Explosive breaching tools are used to breach fortified structures to establish a point of entry. Explosive charges are fashioned to produce little to no fragmentation at the time of detonation. Explosive breaching effectively reduces the time spent overcoming a fortified door or structure. The reduction in time mitigating a hardened structure increasing officer safety and the element of surprise. Blast injuries are reduced by using low yield explosives that mechanically overcome door frames and locking mechanisms. Explosive breaching mandates extensive schooling and certification processes

- **Tear Gas**
 - Chemical agents are deployed through various means to include hand delivery and weapon launchable. Munitions are either 37mm or 40mm caliber, shotgun ferret rounds or cannister shotgun launched ordinance. Hand delivered chemical agents are placed in metal burn boxes to reduce fire hazards

- **Command and Control Vehicles built or modified to facilitate the operational control and direction of public safety units**
 - Command vehicles are built in various platforms to include ½ ton pickup chassis, vans, trailers, and RV style configurations. Vehicles are built to better assist in command and control during law enforcement operations, natural disasters, and public safety issues. Vehicles are designed with additional communication abilities, computers, white boards, lighting, generators, and mission essential supplies

- **40mm projectile launchers**
 - Less lethal 40mm launchers and rubber bullet munitions- Munitions are configured for high and low energy impact. Munitions have the additional benefit as a barrier round for breaking vehicle and residential glass so that chemical munitions can be deployed. 40mm

less lethal has been effective in disarming violent suspects, armed suspects, and subjects who are suicidal with minimal injury and risk to the person, law enforcement or the public

- **Bean Bag Launchers**

- Less lethal bean bag is utilized through a marked/orange colored easily identifiable less lethal shotgun. The bean bag round is a small led pellet filled munition made of high-density cloth. Bean bag is the predecessor to 40mm less lethal having similar benefits as other less lethal platforms

- **Rubber Bullet launchers**

- Sting ball grenade launches .38 caliber rubber bullets and are hand delivered. Generalized use in a tactical operation is infrequent in use and deployment. Search warrants, violent combative subjects, or hostage rescue scenarios are criteria for consideration and use against suspects.
- 40mm and 37mm launchers capable of deploying rubber bullet munitions. An effective less lethal tool used routinely with success