

# Military Equipment

## 706.1 PURPOSE AND SCOPE

\*\*DRAFT POLICY\*\*

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).

### 706.1.1 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.
- Area denial electroshock devices, microwave weapons, water cannons, long-range acoustic devices (LRADs), acoustic hailing devices, and sound cannons.
- 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.

#### **706.2 POLICY**

It is the policy of the Allan Hancock College District Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

#### **706.3 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:

- Acting as liaison to the governing body for matters related to the requirements of this policy.
- 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.
- Conducting an inventory of all military equipment at least annually.
- Collaborating with any allied agency that may use military equipment within the jurisdiction of Allan Hancock Community College Police Department (Government Code § 7071).
- 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.
- 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).
- 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.

#### **706.4 MILITARY EQUIPMENT INVENTORY**

The Department owns and operates the following approved equipment:

##### **(1) Bean Bag Shotguns**

- The Allan Hancock College District Police Department issues bean bag launchers to its officers in the standard course and scope of their duties. Only those that have been trained in the deployment and use of the bean bag launchers may carry them while on duty. The following policies regulate the use of the bean bag launchers: *Policy 300 (Use of Force)* and

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*Policy 303 (Control Devices and Techniques), Policy 306 (Firearms), and Policy 431 (First Amendment Assemblies).*

- b) **Description:** This is a standard Remington Model 870, 12-gauge launcher, pump action, with attached orange stock and fore-end, and a magazine tube holding four (4) to six (6) rounds of less lethal shells. Attached accessories consist of a Streamlight TL-Racker grip equipped with a flashlight, tactical sling. The ammunition used is Safariland Defense Technology 12-gauge drag stabilized less lethal bean bag rounds consisting of a fabric sock containing lead shot contained within a standard 2 3#4 inch shot shell casing or Super Sock CTS Model 2581 less lethal rounds consisting of a fabric sock containing lead shot within a standard 2 3#4 inch shot shell casing.
- c) **Quantity:** The Allan Hancock College District Police Department deploys four (4) bean bag launchers.
- (d) **Capabilities:** Bean bag launchers are capable of firing a 12-gauge bean bag round with maximum effective range of 20-50 feet.
- (e) **Lifespan:** Lifespan of bean bag launcher varies on operational usage and wear, but is approximately 10 years. Bean bag round lifespan is 5 years.
- (f) **Purpose and Authorized Use:** Bean bag launchers utilized with bean bag rounds may be deployed when a subject is demonstrating behaviors consistent with authorized use in accordance with *Policy 300 (Use of Force)*, *Policy 303 (Control Devices and Techniques)* and *Policy 431 (First Amendment Assemblies)*.
- (g) **Fiscal Impact:** \$2500.00 annually for maintenance and member training.
- (h) **Legal and Procedural Rules:** Deployment of the bean bag launcher is governed by department policy, allied agency or mutual aid partner policy.
- (i) **Required Training:** Only authorized department members trained in its deployment may use the bean bag launcher. The bean bag launcher must be used in a manner consistent with department policy and training. Officers must pass bi-annual qualifications to maintain proficiency.
- (j) **Compliance:** The Chief of Police or designee, is responsible for insuring that all authorized operators have completed all required and department-approved training in the operation, applicable laws, policies and procedures regarding use of a bean bag launcher. Use of the less lethal is governed by applicable AHC police and campus policies including those regarding time, place, and manner; First Amendment assemblies; use of force; and control device and techniques, among others depending on circumstances; and allied agency or mutual aid partner policies,

### **(2) Semi Automatic Rifles**

- (a) The Allan Hancock College District Police Department issues semi automatic rifles to its officers in the standard course and scope of their duties. Only those that have been trained

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in the deployment and use of the semi automatic rifles may carry them while on duty. Rifles are firearms that are fired from shoulder level, having a longer, grooved barrel intended to make bullets spin and thereby have greater accuracy over a longer distance. The following policies regulate the use of the semi automatic rifles: *Policy 300 (Use of Force) and Policy 306 (Firearms)*.

- b) **Description:** This is a standard Colt LE A3 M4 rifle. The attached accessories consist of a Streamlight TLR-1 HL weapon mounted light, Eotech red dot sight, and a Magpul sling. The cost and duty ammunition used is Hornady 5.56 53 GMX intermediate NATO cartridge @ \$370.00 per 200 round box. The cost and training ammunition used is Remington 5.56 55 grain full metal jacket @ \$150.00 per 200 round box.
- c) **Quantity:** The Allan Hancock College District Police Department deploys six (6) rifles @ \$1,158.88 per rifle.
- (d) **Capabilities:** The 5.56 intermediate NATO round is used for intermediate effective distances.
- (e) **Lifespan:** Lifespan of rifles varies on operational usage and wear, but is approximately 10 years. Rifle duty and training ammunition lifespan is 10 years.
- (f) **Purpose and Authorized Use:** To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible. Semi automatic rifles may be deployed in response to life threatening behavior in accordance with *Policy 300 (Use of Force) and Policy 306 (Firearms)*.
- (g) **Fiscal Impact:** \$3500 annually for maintenance, ammunition, and member training.
- (h) **Legal and Procedural Rules:** Use is established under department policy, state, and federal law. It is the policy of the AHCOPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
- (i) **Required Training:** Only authorized department members trained in its deployment may use the semi automatic rifle. The automatic rifle must be used in a manner consistent with department policy, laws, and training. Officers must pass annual qualifications to maintain proficiency. Prior to using a rifle, officers must be certified by a POST certified instructor in the operation of the rifle. Additionally, all members must qualify two (2) times per year with the assigned rifle.

### **(2) Mobile Incident Command Vehicle (MIC)**

- (a) The Allan Hancock College District Police Department owns a Mobile Incident Command (MIC) trailer. A mobile office trailer that provides shelter access to Department computer / communication systems, and areas to plan / coordinate.
- b) **Description:** Haulmark 8x16 enclosed trailer used as a Mobile Incident Command (MIC) trailer. Costs: The trailer was donated to the college by the Public Safety Training EMS program.

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- c) **Quantity:** The Allan Hancock College District Police Department deploys one (1) Mobile Incident Command (MIC) vehicle (trailer).
- (d) **Capabilities:** The MIC can also be utilized for critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events.
- (e) **Lifespan:** Lifespan varies on operational usage and wear, but is approximately 12 years.
- (f) **Purpose and Authorized Use:** To be used based on the specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place. Only department members trained in the deployment and operations of the MIC, in a manner consistent with Department policy and training, are authorized to operate it. Operators must have a valid California State Class C license to tow the MIC trailer. Situations which the MIC is authorized for use would include but not be limited to critical incidents, emergencies, special events, and natural disasters.
- (g) **Fiscal Impact:** \$1500.00 annually for maintenance and deployment.
- (h) **Legal and Procedural Rules:** It is the policy of the Department to use the MIC only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles and towing.
- (i) **Required Training:** The driver/operator shall receive training in the safe handling of the tow trailer. Once the operator has shown competence in vehicle handling, the driver/operator will tow the trailer around the campus with an experienced driver.

### **706.5 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.

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- (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.

#### **706.6 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.

Additional information regarding specific equipment and tools that may be utilized by another law enforcement agency within the jurisdiction of the campus police department is available online for public viewing at the respective agency web page.

- Santa Maria Police Department: <https://www.cityofsantamaria.org/home/showpublisheddocument/30260/637872810825630000>
- Santa Barbara County Sheriff: <https://www.sbsheriff.org/wp-content/uploads/2022/03/Lexipol-Military-Equipment-Policy-w-Inventory.pdf>
- Lompoc Police Department: <https://www.cityoflompoc.com/home/showpublisheddocument/37800/638216440474200000>

#### **706.7 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.

#### **706.8 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.