

## Military Equipment

### 709.1 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).

#### 709.1.1 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.
- 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.

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**Exigent Circumstances** - a law enforcement agency's good faith belief that an emergency involving the danger of, or imminent threat of death or serious physical injury to any person is occurring, has occurred, or is about to occur.

### **709.2 POLICY**

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

### **709.3 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 South San Francisco 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.

### **709.4 MILITARY EQUIPMENT INVENTORY**

The list of qualifying equipment for the Department is set forth in Attachment A.

### **709.5 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

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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.

### **709.6 EXIGENT CIRCUMSTANCES**

In exigent circumstances and with the approval of the Chief of Police or his/her designee, the Department may acquire, borrow, and/or use military equipment that is not included in this policy.

If the 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 City Council within 30 days following the commencement of the emergency situation, unless such information is confidential or privileged under local, state, or federal law.
- If it is anticipated that the use will continue beyond the emergency situation, submit a proposed amended policy to City Council within 90 days following the borrowing, acquisition, and/or use and receive approval, as applicable, from City Council.
- Include the military equipment in the next annual military equipment report.

### **709.7 COORDINATION WITH OTHER JURISDICTIONS**

Absent exigent circumstances, 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. The Department is a participating agency of North Central Regional SWAT team and additional equipment could be used within our jurisdiction if the team is deployed. The North Central Regional SWAT team is generally only utilized in extreme circumstances like active shooter incidents, hostage situations, and the execution of high-risk search and arrest warrants. The equipment possessed by the North Central Regional SWAT team

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is not frequently deployed but could prove essential to emergency operations when needed. The equipment is also included in Attachment A of this policy.

### **709.8 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.

### **709.9 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.

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**Attachment A**  
Military Equipment Inventory

**Unmanned Remote Control PackBot 510 Robot (category 1)**

Description, quantity, capabilities, and purchase cost:

PackBot 510 is a battery-powered, remote-control robot that can perform bomb disposal, surveillance, and reconnaissance actions. PackBot 510 easily climbs stairs and navigates narrow passages, relaying real-time video, audio and sensor data while the operator stays at a safer, standoff distance.

Cost: \$0 (No department cost – obtained through LESO 1033 program)

Quantity - 1

Purpose:

The PackBot 510 can be used to remotely gain audio/visual data, deliver communication devices to barricaded subjects, open doors, view suspicious packages, and view potentially dangerous areas before physically entering a building.

Authorized Use:

Only officers who are specifically trained to operate the robot will be permitted to use, at the discretion of an Incident Commander.

Expected Lifespan:

10-15 years

Fiscal Impact:

Estimated annual maintenance - \$100

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**Armored Transport Vehicle (category 2)**

Description, quantity, capabilities, and purchase cost:

A white Ford Transit 350 HD EcoBoost van designed to transport officers to critical incidents while providing ballistic protection to its occupants. The vehicle is a county asset and can be requested for use by outside agencies but is stored and maintained by the South San Francisco Police Department.

Cost: \$0 Obtained via Urban Areas Security Initiative (UASI) program grant - \$149,363.88

Quantity - 1

Purpose:

To be used in critical incidents to enhance officer and community safety, safely transport officers and supplies, provide protection to officers and community members during rescue operations where firearms or other deadly weapons are involved.

Authorized Use:

The vehicle can be used when a Watch Commander or SWAT Commander believes it will help provide safety to officers and community members. The vehicle does not require a specialized driver's license or additional training.

Expected Life Span:

Approximately 20 years

Fiscal Impact:

Estimated Annual Maintenance - \$1,500

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**DUI/Tactical Command Center Trailer (category 5)**

Description, quantity, capabilities, and purchase cost:

2010 Titan-X Composite Tagalong Trailer capable of serving as a mobile command center for large operations. The command center trailer has individual workstations, a power supply, and holds equipment needed for police operations.

Cost - \$0 (Grant from Office of Traffic and Safety - \$56,992.00)

Quantity - 1

Purpose:

Provides the police department with a mobile command center used during prolonged or complex incidents.

Authorized Use:

The trailer can be towed behind a vehicle by a licensed driver with towing experience.

Expected Life Span:

20-30 years depending on use

Fiscal Impact:

Estimated annual maintenance - \$500.00

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**Specialized Firearms and Ammunition (category 10)**

Description, quantity, capabilities, and purchase cost:

**Firearms**

The 5.56mm rifle is a firearm capable of accurately stopping an armed subject at various distances. The rifle is a lightweight, air-cooled, gas-operated, magazine-fed, shoulder-fired weapon designed for semiautomatic fire. The rifles are capable of firing 5.56mm or .223 caliber ammunition.

Cost: \$102,000

Quantity: 5.56mm rifles – 51 (department owned)

5.56mm rifles – 17 (received through LESO 1033 program)

**Ammunition**

.223 Federal 62 grain cartridge training ammunition – 8,000 rounds

.223 Speer 62 grain Law Enforcement Gold Dot duty ammunition – 1,200 rounds

Purpose:

To provide officers with an accurate weapon to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

Authorized Use:

Patrol rifles (5.56mm caliber) – Only officers who have received a 16-hour POST certified training regarding the proper use and maintenance of patrol rifles as well as regular qualifications as required by law and policy.

Expected Life Span:

No expiration – replace or repair as needed.

Fiscal Impact:

Repair rifles and replace ammunition when necessary



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**Pepperball Launcher (category 12)**

Description, quantity, capabilities, and purchase cost:

System that uses high pressure air to deliver .5% PAVA powder projectiles or glass breaking projectiles (similar to a paint ball delivery system). System capable of launching projectiles at a distance up to 60 feet. System capable of area saturation up to 160 feet. Non-lethal option to offer law enforcement officers to deliver chemical agents and/or kinetic energy impacts to subjects or surfaces in a potentially violent encounter. De-Escalation tool used to avoid further injuries or lethal options on a subject.

Launchers	PAVA Projectiles	Glass Breaking Projectiles
Cost: \$850.00	Cost: \$1,119.99	Cost: \$303.00
Quantity: 2	Quantity: 375	Quantity: 100

Purpose:

The Pepperball Launchers are a less-lethal option when suspect(s) presents an imminent threat of serious bodily injury to a victim(s), officer(s), or themselves. The launchers may also be used on vicious animals who present an imminent threat of serious bodily injury or to stop an attack on a victim(s) or officer(s) if other means of prevention, containment, or avoidance of the animal is not reasonably possible. Pepperball projectiles are plastic, frangible spheres that are usually filled with oleoresin capsicum (OC) powder. Alternate projectiles are available including training projectiles filled with inert powder or glass-breaking projectiles. A high-pressure air launcher delivers the projectiles with enough force to release the powder or break glass.

Authorized Use:

Only an officer who has received POST certified training should be authorized to carry, deploy, or discharge a Pepperball launcher.

Expected Life Span:

Pepperball launcher – No Expiration

PAVA Projectiles – 3 years

Glass Breaking Projectiles – No Expiration

Fiscal Impact:

Estimated annual maintenance - \$374.00

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**Flashbang grenades, explosive breaching tools, tear gas, and pepper balls (category 12)**

Description, quantity, capabilities, and purchase cost:

CTS 7290 flashbang distraction device (single use). Flashbang distraction devices can be used to distract individuals during extreme circumstances like active shooter incidents, hostage situations, or while serving high-risk search or arrest warrants. It is an ATF-controlled Class C explosive device that emits a bright light and thunderous noise to distract potentially dangerous individuals.

Cost: \$36.00

Quantity: 10

Purpose:

Creating explosive distractions, with bright light and thunderous noise, to distract potentially dangerous individuals.

Authorized Use:

Only an officer who has received specific POST certified training regarding distraction devices should be authorized to carry, deploy, or discharge a diversionary device.

Expected Life Span:

5 years

Fiscal Impact:

Estimated replacement cost - \$400 every 5 years

**Projectile Launch platforms and associated munitions (category 14)**

Description, quantity, capabilities, and purchase cost:

Penn Arms model L140-4, 40 mm single and multi-launcher. The Penn Arms Launcher is not a firearm, but a less-lethal system that uses smokeless powder to deliver 40mm projectiles from a safe distance. The less-lethal launcher can launch 40mm munitions at a subject up to 25 yards. The less-lethal launchers fire one high-speed projectile at a time, which allows the user to assess the situation after every spent munition. Less lethal launchers do not have an expiration date and require service/replacement when the launcher fails or breaks.

Cost - \$944.00

Quantity: 8

The eXact iMpacT™ 40 mm Sponge Round is a high-speed projectile consisting of a plastic body and sponge nose that is spin-stabilized via a rifling collar and the 40 mm launcher's rifled barrel. The munition is used as a less-lethal option to de-escalate a potentially violent encounter.

Cost - \$800.00

Quantity – 40

Purpose:

Provides officers with less-lethal options when encountering violent or armed individuals during a situation where additional distance between officer and individual is desired.

Authorized Use:

Only an officer who has received POST certified training is authorized to carry, deploy, or discharge a less-lethal launcher.

Expected Life Span:

40mm Launcher – No expiration

40mm Sponge Munition – 5 years

Fiscal Impact:

40mm launcher – Replacement cost of \$944.00 each (as needed)

40mm Sponge Munition – \$20.00 (as needed)

**North Central Regional SWAT Equipment**

**Unmanned, remotely piloted, powered ground vehicles (category 1)**

Description, quantity, capabilities, and purchase cost:

Remote-controlled aerial (drone) and ground (robot) powered vehicles capable of being remotely navigated to provide scene information in the form of video and still images transmitted to first responders.

Cost: None – not owned by South San Francisco Police Department

Quantity: 2 drones, 4 robots

Purpose:

To enhance the safety of potentially dangerous situations by providing first responders with the ability to capture video and still images of hazardous areas prior to, or in lieu of, sending in personnel.

Authorized Use:

The use of unmanned, remotely piloted, powered ground vehicles potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to all applicable privacy laws and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy. The North Central Regional SWAT team provides training for staff members prior to allowing them to pilot these vehicles.

Expected Life Span:

Approximately 15 years

Fiscal Impact:

None – not owned by South San Francisco Police Department

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**Wheeled vehicle with breaching apparatus attached (category 3)**

Description, quantity, capabilities, and purchase cost:

The vehicle is designed for use when there is reason to expect potential armed resistance requiring ballistic protection. It can open a door, gate, or other points of entry with assistance from a device attached to the vehicle.

Cost: None – not owned by South San Francisco Police Department

Quantity: 1

Purpose:

To force open a door, a gate, or other points of entry when conditions involve potentially armed resistance.

Authorized Use:

Breaching vehicles can be deployed when tactical operators determine it is necessary to complete a lawful breaching. For a breaching to be lawful, it will generally need to be supported by a search or arrest warrant, or exigent circumstances. The North Central Regional SWAT team provides training for staff members prior to allowing them to drive breaching vehicles.

Expected Life Span:

Unknown

Fiscal Impact:

None – not owned by South San Francisco Police Department

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**Battering rams, slugs, and breaching apparatus that are explosive in nature (category 7)**

Description, quantity, capabilities, and purchase cost:

Equipment capable of breaching doors, gates, windows, and other points of entry.

Cost: None- not owned by South San Francisco Police Department

Quantity: 20

Purpose:

To force open a door, a gate, or other points of entry when conditions involve potentially armed resistance.

Authorized Use:

Breaching apparatus that are explosive in nature can be deployed any time tactical operators determine it is necessary to complete a lawful breaching, and non-explosive methods are not a tactical option. For a breaching to be lawful, it will generally need to be supported by a search or arrest warrant, or exigent circumstances. The North Central Regional SWAT team provides training for staff members prior to allowing them to use explosive breaching apparatus.

Expected Life Span:

Unknown

Fiscal Impact:

None – not owned by South San Francisco Police Department

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**Semi-Automatic Rifles and Ammunition (category 10)**

Description, quantity, capabilities, and purchase cost:

Specialized firearms capable of accurately firing .223, 5.56mm, .308, or .300 caliber ammunition accurately at distances over 100 yards. The firearms are owned by agencies participating in the North Central Regional SWAT team and could be deployed in South San Francisco.

The South San Francisco Police Department owns two specialized rifles capable of firing .308 caliber ammunition at distances over 100 yards. The two specialized rifles are limited to North Central Regional SWAT team members

Cost: \$4,000

Quantity: 2

Purpose:

To provide members of the North Central Regional SWAT team with an accurate firearm to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

Authorized Use:

In addition to patrol rifle and standard SWAT Operator training, SWAT personnel must successfully complete a POST certified SWAT course as well as regular SWAT training and qualifications as required by law and policy.

Expected Life Span:

Approximately 15 years

Fiscal Impact:

Repair rifles and replace ammunition when necessary

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**Flashbang grenades, explosive breaching tools, tear gas and pepper balls (category 12)**

Description, quantity, capabilities, and purchase cost:

Equipment capable of breaching doors, gates, windows, and other points of entry, by creating explosive distractions, emitting bright light, and/or deploying tear gas or pepper chemical to distract potentially dangerous individuals.

Cost: None – not owned by South San Francisco Police Department

Quantity: 20

Purpose:

To open doors, gates, windows, and other points of entry, by creating explosive distractions, emitting bright light, and/or deploying tear gas or pepper chemical to distract potentially dangerous individuals.

Authorized Use:

Breaching apparatus can be deployed when tactical operators determine it is necessary to complete a lawful breaching, and non-explosive breaching methods are not a tactical option. For a breaching to be lawful, it will generally need to be supported by a search of arrest warrant, or exigent circumstances. Tear gas and pepper balls can only be deployed in accordance with all applicable State, Federal, and local laws governing police use of force, crowd control, etc. The North Central Regional SWAT team provides training for staff members prior to allowing them to drive breaching vehicles.

Expected Life Span:

Unknown

Fiscal Impact:

None – not owned by South San Francisco Police Department



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**Long Range Acoustic Device (LRAD) (category 13)**

Description, quantity, capabilities, and purchase cost:

An acoustic hailing device (AHD) used to send messages over long distances. The LRAD system produce much higher sound levels (volume) than normal loudspeakers or megaphones. Over shorter distances, LRAD signals are loud enough to cause pain or discomfort in the ears of people in their path.

Cost: None – not owned by South San Francisco Police Department

Quantity: 1

Purpose:

Can be used to disperse unlawful crowds (with required notice and compliance times) and/or disrupt the activities of individuals who represent an immediate threat to others.

Authorized Use:

The LRAD system can only be used in accordance with all applicable State, Federal, and local laws governing police use of force, crowd control, etc. The North Central Regional SWAT team provides training for staff members prior to allowing them to use this item.

Expected Life Span:

Unknown

Fiscal Impact:

None – not owned by South San Francisco Police Department