
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).

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.
- 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.

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

708.2 POLICY

It is the policy of the Barstow 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 should designate the Police Captain 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 Barstow 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 Barstow Police Department:

1. Unmanned Aircraft System (UAS): An unmanned aircraft along with the associated equipment necessary to control it remotely.

- (a) Description, purchase costs, quantity, capabilities:
 - i. DJI Inspire 1, Cost: \$5,000, Quantity: 1, Capabilities: This UAS is able to record 4K video, 12 megapixel photos, and transmit an HD video signal for approximately 1 mile. This UAS is battery operated and capable of 30 minutes of flight time.
- (b) Purpose - The UAS is deployed when its view would assist officers in the field or incident commanders managing a critical incident in certain situations to include but not limited to:

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- i. Major traffic collision investigations.
 - ii. Searches for missing persons.
 - iii. Searches for suspects.
 - iv. Natural disaster management.
 - v. Crime scenes
 - vi. SRT tactical operations or other public safety or life preservation missions.
 - vii. In response to specific requests from Barstow Fire Protection District, state, or federal fire authorities for fire response and/or prevention.
- (c) Authorized Use - Only assigned UAS operators who have completed the required training shall be permitted to operate any UAS during approved missions.
- (d) Expected Life Span - UAS and associated equipment, 3-5 years.
- (e) Fiscal Impact - Annual maintenance and battery replacement cost is approximately \$1,000.
- (f) Training - All department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must complete on going quarterly training.
- (g) Legal and Procedural Rules - Use is established under Barstow Police Department policy 609 - Unmanned Aerial Systems (UAS) Operations, which is posted on the department internet website. It is the policy of the Barstow Police Department to utilize UAS for official law enforcement purposes and in strict accordance with constitutional and privacy rights and state and federal law.

2. Robots: A remotely-controlled unmanned machine that operates on the ground and is utilized by officers to enhance the safety of the community and officers.

- (a) Description, purchase costs, quantity, capabilities:
- i. RECON ROBOTICS RECON SCOUT MICRO-ROBOT, Costs: \$7,000, Quantity: 1, Capabilities: The Recon Scout is a throwable remotely operated micro-robot system that can transmit video from an indoor or outdoor environment. It can locate subjects whether armed or injured providing protection and safety to officers and operators.
- (b) Purpose - The robot is used to remotely gain real time visual data of an incident location, search for armed or injured subjects, and clear buildings.
- (c) Authorized Use - Only assigned SRT operators who have completed the required training shall be permitted to utilize the Recon Scout Robot. Use is established by the SRT Commander or SRT team Leader.
- (d) Expected Life Span - The Recon Scout, 8-10 years.
- (e) Fiscal Impact - There is no annual maintenance.
- (f) Training - All Robot operators must complete in-house training on the use of the Robot when assigned to the Special Response Team.

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- (g) Legal and Procedural Rules - Use is established under Barstow Police Department policy 459 - Special Response Team (SRT) which is posted on the department internet website. It is the policy of the Barstow Police Department to utilize the Robot only for official law enforcement purposes and in a manner that respects the privacy of our community members pursuant to state and federal law.

3. Armored Vehicle: Military produced wheeled armored personnel vehicle utilized during law enforcement operations for armor protection and officer or citizen rescues.

- (a) Description, purchase costs, quantity, capabilities:
 - i. Caiman 6x6 Mine Resistant Ambush Protected (MRAP) Vehicle, Costs: Donated through Federal 1033 Program, Quantity: 1, Capabilities: The 2012 MRAP is a fully armored vehicle that seats 8-10 personnel. It has an open floor plan that allows for the rescue of downed personnel and/or citizens. The vehicles armor can stop high powered rifle rounds providing greater protection and safety for officers and citizens beyond that which is provided by standard personal body armor or ballistic shield.
- (b) Purpose - The MRAP is to be used in response to critical incidents such as but not limited to active shooter incidents, armed barricaded subjects in a structure or vehicle, armed suspect in an open area (large field, parking lot), SRT call-outs, officer down rescue, citizen rescue, officer or citizen evacuations from an active area where a threat of gunfire still exists, terrorist incidents, SRT and Mobile Field Force training, or any other incidents involving armed subjects or where the use of the MRAP would be appropriate to enhance officer and community safety, improve scene containment during major incidents, as well as provide officer and citizen protection while resolving these critical incidents.
- (c) Authorized Use - The use of the MRAP vehicle shall only be authorized by the SRT Team Leader or Commander based on the specific circumstances of the critical incident. The MRAP shall be used by officers trained in their deployment, use, and in a manner consistent with department policy and training.
- (d) Expected Life Span - Caiman 6x6 MRAP; 25 years.
- (e) Fiscal Impact - Annual maintenance costs of approximately \$2,500.
- (f) Training - All driver/operators shall attend formalized instruction and be trained in driving and vehicle operations.
- (g) Legal and Procedural Rules - Use of the MRAP is established under Barstow Police Department policy #701 - Federally Controlled Equipment.

4. 37 MM Launcher: The 37mm launchers are utilized by personnel on the Special Response Team (SRT) as a less lethal tool to launch impact rounds and deploy canisters of chemical agents or smoke.

- (a) Description, purchase costs, quantity, and capabilities:
 - i. DEFENSE TECHNOLOGY 37mm TACTICAL 6-SHOT LAUNCHER, Costs: \$2,200, Quantity: 1, Capabilities: The 37mm tactical 6-Shot launcher is a

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

low profile light weight launcher that provides multi-shot capabilities. It has a collapsible stock and front forward grip. It will launch 37mm less lethal rounds and chemical agents (ferrets or canisters) up to approximately 50 yards and is only authorized to be used by SRT personnel.

- ii. DEFENSE TECHNOLOGY 37mm SINGLE SHOT LAUNCHER, Costs: \$1,200, Quantity: 2, Capabilities: The single shot 37mm launcher is the lightest launcher available. It will fire standard 37mm less lethal ammunition and chemical agent, up to 8" canisters.
- (b) Purpose - To deploy less than lethal capabilities to reduce the escalation of conflict where deployment of lethal force is prohibited or undesirable.
 - (c) Authorized Use - Situations for the use of 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 dangerous or vicious animals.
 - v. Training exercises or approved demonstrations.
 - (d) Expected Life Span - Defense Technology 37mm single shot and tactical 6-shot launcher; 25-years.
 - (e) Fiscal Impact - Annual maintenance for the launcher is approximately \$50.
 - (f) Training - All personnel utilizing the 37mm launcher shall be trained by a POST certified less lethal and chemical agents instructor.
 - (g) Legal and Procedural Rules - Use of the 37mm launcher is authorized by Barstow Police Department policy 308 - Control Device and Techniques, which is posted on the department internet website.

5. Less Lethal Shotgun: Less lethal shotguns are used to deploy the less lethal 12-gauge Stabilized Bean Bag round and 12-gauge Ferret Liquid CS Round.

- (a) Description, purchase costs, quantity, capabilities:
 - i. REMINGTON 870 LESS LETHAL SHOTGUN, Cost: \$900 each, Quantity: 18, Capabilities: The less lethal 870 shotgun is used to deploy the Drag Stabilized bean bag round up to a distance of 75 feet. The range of the weapon system helps to maintain distance between officers and a suspect reducing the immediacy of a threat which is a principle of De-escalation.
 - ii. DEFENSE TECHNOLOGY 12-GAUGE DRAG STABILIZED BEAN BAG ROUND, Costs: \$5.35 each, Quantity: 194, Capabilities: The 12-Gauge round is a shell loaded with a 40-gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot.
 - iii. DEFENSE TECHNOLOGY 12-GAUGE FERRET LIQUID CS ROUND, Costs: \$6.98 each, Quantity: 124, Capabilities: The 12-Gauge liquid ferret CS round

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

delivers approximately 1.5 grams of active CS agent up to a distance of 100 yards.

- (b) Purpose - To limit the escalation of conflict where lethal force is prohibited or undesirable.
- (c) Authorized Use - Situations for the use of 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) Expected Life Span -
 - i. Remington 870 less lethal shotgun - 25 years
 - ii. 12-Gauge Drag Stabilized Bean Bag Round - 5 years
 - iii. 12-Gauge Ferret Liquid CS Round - 5 years
- (e) Fiscal Impact - Annual maintenance is approximately \$50 per shotgun.
- (f) Training - All officers are trained by in-service trainers in the operations of the 12-gauge less lethal shotgun as a less lethal option. SRT personnel receive additional training upon selection to the team. SRT operators who utilize these chemical agent munitions have successfully completed a POST certified chemical agents school and/or have been trained in-house by POST certified chemical agents instructors.
- (g) Legal and Procedural Rules - Use is established by Barstow Police Department policy 308 - Control Devices and Techniques, which is posted on the department internet website.

6. Distraction Devices: A device used to distract and disorient dangerous subjects.

- (a) Description, purchase costs, quantity, capabilities:
 - i. DEFENSE TECHNOLOGY DISTRACTION DEVICE /FLASH BANG, Costs: \$60, Quantity: 25, Capabilities: A non-bursting, non-fragmenting, multi-bang device that produces a thunderous bang with an intense bright light.
- (b) Purpose - A distraction device is ideal for distracting dangerous subjects who pose a threat to officers during high risk arrest situations, room entries, and hostage rescue situations. The device produces atmospheric over-pressure and a brilliant white light that causes short term physiological/psychological sensory deprivation to give officers a tactical advantage.
- (c) Authorized Use: Diversionary devices can only be used:

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- i. By SRT officers who have completed a POST certified diversionary device school.
 - ii. During hostage and barricaded subject situations.
 - iii. In high risk warrant (search/arrest) services where there may be extreme hazards to officers.
 - iv. During other high risk situations where the use would enhance officer safety.
 - v. During authorized training exercises.
- (d) Expected Life Span - Until used.
 - (e) Fiscal Impact - No annual maintenance.
 - (f) Training - Prior to use, officers must attend diversionary device training by POST certified instructors.
 - (g) Legal and Procedural Rules - Use is established by Barstow Police Department policy 459 - Special Response Team (SRT).

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

- (a) Description, purchase costs, quantity, capabilities:
 - i. REMINGTON .308 CALIBER RIFLE MODEL 700, Costs: \$2,000 each, Quantity: 5, Capabilities: Highly accurate rifle that provides greater accuracy and stability and used by officers in an overwatch capacity to protect the community during critical and/or large events.
 - ii. SIG SAUER 516 SWAT OPERATOR 11.5".223 CALIBER RIFLE, Costs: \$2,800 each, Quantity: 8, Capabilities: A rifle that fires an intermediate-power .223 cartridge which is more powerful than a standard handgun but less powerful than a standard rifle. As a short-barreled rifle it allows trained SRT officers greater accuracy than a handgun and better control inside structures.
 - iii. COLT AR-15 MODEL A3 .223 CALIBER PATROL RIFLES, Costs: \$1,500 each Quantity: 18, Capabilities: The AR-15 rifle is a precision weapon utilized for increased accuracy and stability when addressing threats at greater distances. The AR-15 .223 caliber rifle is the standard rifle equipped in all Barstow Police Department patrol units.
 - iv. COLT AR-15 MODEL A2 .223 CALIBER RIFLES, Cost: \$1,100 each, Quantity: 4, Capabilities: The AR-15 rifle is a precision weapon system utilized for increased accuracy and stability when addressing threats at greater distances.
 - v. COLT AR-15 M16A1 5.56 CALIBER RIFLE, Costs: Received from the military at no cost, Quantity: 7, Capabilities: This rifle is a precision weapon for accuracy and stability at greater distances. This weapon is currently not in use by BPD.
 - vi. BUSHMASTER AR-15 .223 CALIBER RIFLE, Costs: \$1,100 each Quantity: 4, Capabilities: The AR-15 rifle is a precision weapon system utilized for increased accuracy and stability when addressing threats at greater distances.

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- vii. WINCHESTER RANGER .223 POINTED SOFT POINT 55 GRAIN RIFLE ROUND, Costs: \$608 a case, Quantity: 9 cases or approximately 8,500 rounds, Capabilities: This rifle round leaves the muzzle at 3240 feet per second and expands immediately upon hitting its target making it ideal for AR-pattern rifles. This round is used in all department.223 AR-15 rifles.
 - viii. WINCHESTER MATCH .308 MATCHKING HOLLOW POINT BOAT TAIL 168 GRAIN RIFLE ROUND, Costs: \$398 a case, Quantity: 200 rounds, Capabilities: This round leaves the muzzle at 2680 feet per second. This round is ideal for target shooting applications and is used as practice ammunition in the department. 308 rifles.
 - ix. HORNADY.308 TACTICAL APPLICATION POLICE 168 GRAIN A-MAX RIFLE ROUND, Costs: \$400, Quantity: 400 rounds, Capabilities: This round leaves the muzzle at 2676 feet per second. This is a conventional match grade bullet with the performance benefits of a polymer tip. This bullet demonstrates controlled and remarkable soft tissue expansion without over penetration. This round is used as the primary round for duty use in the department. 308 rifles.
 - x. HORNADY.308 TACTICAL APPLICATION POLICE 165 GRAIN HEAVY BARRIER RIFLE ROUND, Costs: \$30 a box, Quantity: 40 rounds, Capabilities: This round leaves the muzzle at 2611 feet per second. This bullet is designed to penetrate heavy barriers.
- (b) Purpose - To be used as a precision weapon to address a threat from a greater distance than can be addressed with a handgun.
 - (c) Authorized Use - Only officers who have completed POST certified training are authorized to use a rifle.
 - (d) Expected Life Span -
 - i. REMINGTON .308 MODEL 700 - 15 years.
 - ii. SIG SAUER 516 SWAT OPERATOR - 10 years.
 - iii. COLT AR-15 MODELS M16A1, A2, A3, AND BUSHMASTER.223 - 15 years.
 - iv. WINCHESTER .223 AND .308 RIFLE ROUNDS AND HORNADY .308 RIFLE ROUNDS - No expiration.
 - (e) Fiscal Impact - Annual maintenance is approximately \$50 for each rifle.
 - (f) Training - Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. All officers must pass a range qualification course for the rifle two times a year.
 - (g) Legal and Procedural Rules - Use is established by Barstow Police Department policy 312 - Firearms, which is posted on the department internet website.

8. Chemical Agents and Smoke Canisters: Canisters that contain chemical agents or smoke that are released when deployed.

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- (a) Description, purchase costs, quantity, capabilities:
- i. DEFENSE TECHNOLOGY TRIPLE-CHASER SEPARATING CANISTER, CS #1026, Costs: \$47, Quantity: 20, Capabilities: The Triple-Chaser CS canister consists of three separate canisters compressed together with separating charges between them. When deployed the canisters separate landing approximately 20 feet apart from each other. This allows for an increase of area coverage in a short period of time. The canister is hand thrown and holds approximately 92 grams of active agent. It has a burn time of approximately 20-30 seconds.
 - ii. DEFENSE TECHNOLOGY FLAMELESS TRI-CHAMBER CS CANISTER #1032, Costs: \$45, Quantity: 21, Capabilities: The Tri-Chamber flameless grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of a fire. Although the Tri-Chamber grenade can be used in crowd control situations it is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately 20 grams of agent during a 20-30 second burn time. The purpose of the Tri-Chamber flameless grenade is to minimize risk to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. This grenade provides officers with the option of delivering a pyrotechnic chemical agents device indoors maximizing the agents effectiveness while minimizing the chance of a fire to the structure.
 - iii. DEFENSE TECHNOLOGY RIOT CONTROL CONTINUOUS DISCHARGE CS CANISTER #1082, Cost: \$30, Quantity: 12, Capabilities: The Riot Control CS Grenade has an agent content of 75.6 grams and is specifically designed for outdoor use in crowd control situations. The grenade expels a large agent concentration in a continuous burn for 20-40 seconds, through four gas ports located at the top of the canister. The grenade can be used to route a crowd or conceal officers movements.
 - iv. DEFENSE TECHNOLOGY SPEDE-HEAT RIOT CONTROL CS GRENADE #1072, Cost: \$47, Quantity: 8, Capabilities: The Spede-Heat grenade is specifically designed for outdoor use during large crowd control situations. The grenade has a large agent concentration and long discharge time of approximately 20-40 seconds to cover large areas. The CS grenade has an agent content of 81.2 grams.
 - v. DEFENSE TECHNOLOGY CS FERRET ROUNDS #1162, Costs: \$26, Quantity: 23, Capabilities: The Ferret Rounds are designed to deliver chemical agents in barricade situations. The Ferret Rounds incorporate a frangible projectile that is filled with liquid CS agent. Upon impact, the nose cone ruptures and instantaneously delivers the agent payload inside the structure. The Ferret Round is non-burning and has an effective range of 50 yards when launched from the 37mm weapon system.
- (b) Purpose - To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of less lethal weapon systems may include but are not limited to:

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- i. Self-destructive, dangerous and/or combative individuals.
 - ii. Armed barricaded subjects.
 - iii. Riot/crowd control and violent civil unrest incidents.
 - iv. Circumstances where a tactical advantage can be obtained.
 - v. Potentially vicious animals.
 - vi. Training exercises or approved demonstrations.
- (c) Authorized Users - Only officers who have received POST certified training in the use of chemical agents are authorized to use chemical agents.
- (d) Expected Life Span - 5 years from manufacturing date.
- (e) Fiscal Impact - No annual maintenance.
- (f) Training - Officers utilizing chemical agents canisters or munitions are certified by POST less lethal and chemical agents instructors. All sworn officers are required to have in-house chemical agents training once a year.
- (g) Legal and Procedural Rules - Use is established by Barstow Police Department policy 308 - Control Device and Techniques. It is the policy of the Barstow Police Department to utilize chemical agents for law enforcement purposes only and in accordance with state and federal law including those regarding use of force.

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.
- (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.

Barstow Police Department

Barstow PD CA Policy Manual

Military Equipment

- (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

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.

708.7 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 the Department inventory.

708.8 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.