

# 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.

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### **708.2 POLICY**

It is the policy of the Ripon 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 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 the Ripon 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**

A Military Equipment Inventory list will be posted on the department website at [www.riponpd.org](http://www.riponpd.org) upon authorization by the Governing body. The inventory will be conducted annually by the Military Equipment coordinator and presented to the Governing body prior to the annual community engagement meeting.

The department inventory of military equipment is as follows:

#### **Article #1**

- (a) Equipment Name: AR15 Rifle – CA Govt. Code Section 7070(c)(10)
- (b) Quantity Owned/sought: 23 Owned
- (c) Lifespan: 40+ years
- (d) Capabilities: The rifles are capable of firing 5.56 and .223 projectiles.

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- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: To be used in a lethal weapon scenario to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
- (g) Fiscal Impacts: Approximately \$1,000 (each) initial cost, annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a 16 hours Patrol Rifle Training Course
- (j) Other: Annual ammunition costs shared among similar platforms (\$6,000 total)

#### **Article #2**

- (a) Equipment Name: M4 Rifle – CA Govt. Code Section 7070(c)(10)
- (b) Quantity Owned/sought: 7 Owned
- (c) Lifespan: 40+ years
- (d) Capabilities: The rifles are capable of firing 5.56 and .223 projectiles.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: To be used in a lethal weapon scenario to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
- (g) Fiscal Impacts: Approximately \$1,000 (each) initial cost, annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force. All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a SWAT School or a military rifle course.
- (j) Other: Annual ammunition costs shared among similar platforms (\$6,000 total)

#### **Article #3**

- (a) Equipment Name: Colt M16 rifle – CA Govt. Code Section 7070(c)(10)
- (b) Quantity Owned/sought: 5 Owned
- (c) Lifespan: 60+ years
- (d) Capabilities: The rifles are capable of firing 5.56 and .223 projectiles.
- (e) Manufacturer Description: N/A

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- (f) Purpose/Authorized Uses: To be used in a lethal weapon scenario to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
- (g) Fiscal Impacts: The initial cost of this equipment was free from the government (10-33 program) annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a SWAT School or military rifle course.
- (j) Other: Annual ammunition costs shared among similar platforms (\$6,000 total)

#### **Article #4**

- (a) Equipment Name: AR10 Rifle – CA Govt. Code Section 7070(c)(10)
- (b) Quantity Owned/sought: 1 Owned
- (c) Lifespan: 40+ years
- (d) Capabilities: The rifles are capable of firing 7.62x51 and .308 Winchester projectiles.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: To be used in a lethal weapon scenario to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
- (g) Fiscal Impacts: The initial cost of this equipment was free from the government (10-33 program) annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a 16 hours Patrol Rifle Training Course
- (j) Other: Annual ammunition costs shared among similar platforms (\$6,000 total)

#### **Article #5**

- (a) Equipment Name: H&K MP5 rifle – CA Govt. Code Section 7070(c)(10)
- (b) Quantity Owned/sought: 3 Owned
- (c) Lifespan: 60+ years
- (d) Capabilities: The rifles are capable of firing .40 S&W projectiles.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: To be used in a lethal weapon scenario to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

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- (g) Fiscal Impacts: The initial cost of this equipment was approximately \$950 (each) with annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a SWAT School or military rifle course.
- (j) Other: Annual ammunition costs shared among similar platforms (\$4,500 total)

#### **Article #6**

- (a) Equipment Name: Remington 870 Shotgun – CA Govt. Code Section 7070(c)(14)
- (b) Quantity Owned/sought: 4 Owned
- (c) Lifespan: 60+ years
- (d) Capabilities: The pump action shotgun is capable of firing 12ga. Projectiles, currently configured as Less Lethal Launcher for bean bags.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: To be used in a less lethal weapon scenario to address a threat with more precision and/or greater distances than other handheld or close range use of force options, if present and feasible.
- (g) Fiscal Impacts: The initial cost of this equipment was approximately \$500 (each) with annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a 16 hours Shotgun Training Course
- (j) Other: Annual ammunition costs shared among similar platforms (\$1,200 total)

#### **Article #7**

- (a) Equipment Name: Mossberg Shotgun – CA Govt. Code Section 7070(c)(14)
- (b) Quantity Owned/sought: 1 Owned
- (c) Lifespan: 40+ years
- (d) Capabilities: The pump action shotgun is capable of firing 12ga. Projectiles, currently configured as Less Lethal Launcher for bean bags.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: To be used in a less lethal weapon scenario to address a threat with more precision and/or greater distances than other handheld or close range use of force options, if present and feasible.

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- (g) Fiscal Impacts: The initial cost of this equipment was approximately \$500 (each) with annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a 16 hours Shotgun Training Course
- (j) Other: Annual ammunition costs shared among similar platforms (\$1,200 total)

#### **Article #8**

- (a) Equipment Name: Pepperball Launcher – CA Govt. Code Section 7070(c)(12)
- (b) Quantity Owned/sought: 6 Owned
- (c) Lifespan: 15+ years
- (d) Capabilities: The compressed air powered launchers are capable of firing PepperBall LIVE projectiles (round balls filled with dry powder irritant).
- (e) Manufacturer Description: "From crowd control to daily policing to corrections to security to military operations, the PepperBall system offers safe, non-lethal options for many situations. With superior projectile design and a variety of launchers, PepperBall leads the way in helping manage crowds or individual assailants from a safe distance with a reasonable non-lethal level of force."
- (f) Purpose/Authorized Uses: To be used in a less lethal weapon scenario to address a threat with more precision and/or greater distances than other handheld or close range use of force options, if present and feasible.
- (g) Fiscal Impacts: The initial cost of this equipment was \$900 (each) with annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a 4 hour PepperBall Training Course.
- (j) Other: Annual PepperBall munition cost is approximately \$1000.

#### **Article #9**

- (a) Equipment Name: Springfield M1a Rifle - CA Govt. Code Section 7070(c)(10)
- (b) Quantity Owned/sought: 1 Owned
- (c) Lifespan: 60+ years
- (d) Capabilities: The rifle is capable of firing 7.62x51 and .308 Winchester projectiles.
- (e) Manufacturer Description: N/A

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- (f) Purpose/Authorized Uses: To be used in a lethal weapon scenario to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
- (g) Fiscal Impacts: The initial cost of this equipment was \$1,800 (each) with annual maintenance of approximately \$100 (each).
- (h) Legal/Procedural Rules Governing Use: RPD Policy #312 Firearms, RPD Policy #300 Use of Force, All applicable state, federal and local laws governing police use of force. Adopted city ordinance authorizing use of military equipment per CA Govt. Code 7070(d).
- (i) Training Required: Officers must complete a 16 hour Patrol Rifle Training course or a SWAT Sniper course.
- (j) Other: Annual ammunition costs shared among similar platforms (\$6,000 total)

#### **Article #10**

- (a) Equipment Name: 1981 Cadillac-Gage "Peacekeeper" Armored vehicle – CA Govt. Code Section 7070(c)(2)
- (b) Quantity Owned/sought: 1 Owned
- (c) Lifespan: 60+ years
- (d) Capabilities: 4-wheeled Armored vehicle with ballistic armor panels capable of transporting personnel.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: This vehicle is primarily used as a SWAT response vehicle in high risk encounters to safely transport personnel into potentially dangerous situations.
- (g) Fiscal Impacts: The initial cost of this vehicle was free through the 10-33 Govt. program. Annual maintenance costs vary.
- (h) Legal/Procedural Rules Governing Use: All applicable state, Federal, and Local laws governing police vehicle operations.
- (i) Training Required: Officers must have completed Police EVOC training/updates as required by POST.
- (j) Other: N/A

#### **Article #11**

- (a) Equipment Name: DJI Inspire 1 (UAS/drone) – CA Govt. Code Section 7070(c)(1)
- (b) Quantity Owned/sought: 2 Owned
- (c) Lifespan: 10+ years
- (d) Capabilities: A small remotely powered device capable of flying upwards of 500' with photo, video, and thermal imaging capabilities.
- (e) Manufacturer Description: N/A item discontinued.

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- (f) Purpose/Authorized Uses: Use of UAS devices vary but are mainly used for obtaining images or monitoring situations from vantages otherwise unfeasible.
- (g) Fiscal Impacts: The initial cost of this equipment was approximately \$4,000 (each) with annual maintenance costs varied dependent upon use.
- (h) Legal/Procedural Rules Governing Use: UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.
- (i) Training Required: All Police UAS operators are licensed by the Federal Aviation Administration for UAS operation.
- (j) Other: N/A

#### **Article #12**

- (a) Equipment Name: DJI Mavic Enterprise Dual (UAS/drone) – CA Govt. Code Section 7070(c)(1)
- (b) Quantity Owned/sought: 1 Owned
- (c) Lifespan: 10+ years
- (d) Capabilities: A small remotely powered device capable of flying upwards of 500' with photo, video, and thermal imaging capabilities.
- (e) Manufacturer Description: N/A
- (f) Purpose/Authorized Uses: Use of UAS devices vary but are mainly used for obtaining images or monitoring situations from vantages otherwise unfeasible.
- (g) Fiscal Impacts: The initial cost of this equipment was approximately \$7,500 (each) with annual maintenance costs varied dependent upon use.
- (h) Legal/Procedural Rules Governing Use: UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.
- (i) Training Required: All Police UAS operators are licensed by the Federal Aviation Administration for UAS operation.
- (j) Other: N/A

#### **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.



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- (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.

### **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. Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department's policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

### **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 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.

Any member of the public can register a question or concern regarding military use equipment by contacting the Ripon Police Department's Military Equipment Coordinator via email at

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[MECoordinator@cityofripon.org](mailto:MECoordinator@cityofripon.org). A response to the question or concern shall be completed by the Department in a timely manner.