

# Military Equipment

## 706.1 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).

### 706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing body** – The elected or appointed body that oversees the [Department/Office].

**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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### **706.2 POLICY**

It is the policy of the Downey Police Department that members of this [department/office] comply with the provisions of Government Code § 7071 with respect to military equipment.

### **706.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police should shall designate the Professional Standards Sergeant of this [department/office] 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/office] equipment that qualifies as military equipment in the current possession of the [Department/Office], or the equipment the [Department/Office] 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 Downey 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/office]'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/office] 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/Office] will respond in a timely manner.

### **706.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the [Department/Office]

See Appendix A (section 706.9 below) as updated in the most recent Annual Military Equipment Report on file with the Downey Police Department and posted on the Police Department's website.

### **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's website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071).

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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/office].
- (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.

### **706.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this Department or operating in conjunction in a law enforcement capacity with this Department, shall comply with their respective military equipment use policies in rendering mutual aid.

### **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/office] 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/office] inventory.

### **706.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the [Department/Office] shall hold at least one well-publicized and conveniently located community engagement meeting, at which the [Department/Office] should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

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### **706.9 APPENDIX "A"**

[See attachment: 2022 Military Equipment Annual Report.pdf](#)

## Attachments

## **2022 Military Equipment Annual Report.pdf**

## Annual Military Equipment Report (2022)



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## EXECUTIVE SUMMARY

On September 30, 2021, Governor Gavin Newsom signed Assembly Bill 481 (“AB 481”) into law in an effort to create transparency, oversight, and accountability in the acquisition and use by local law enforcement agencies of equipment that meets the State-enacted definition of “military equipment”. AB 481 went into effect on January 1<sup>st</sup>, 2022, adding California Government Code Sections 7070 through 7075. These codes require the Downey Police Department to obtain approval from the Downey City Council of a “Military Equipment Use Policy” and for the continued use of all military equipment that was acquired prior to January 1, 2022. Moreover, they require the Police Department to submit an Annual Military Equipment Report to the City Council thereafter detailing the following information regarding the previous calendar year:

1. A summary of how the military equipment was used and the purpose of its use;
2. A summary of any complaints or concerns received concerning the military equipment;
3. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response;
4. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the Annual Military Equipment Report;
5. The quantity possessed for each type of military equipment; and,
6. If the Police Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

To further promote transparency to the public, AB 481 requires the approved Military Equipment Use Policy and most recent Annual Military Equipment Report to be published on the Police Department’s website – and to hold at least one well-publicized and conveniently located community engagement meeting within thirty (30) days of the release of the Annual Military Equipment Report.

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## ASSEMBLY BILL 481 - MILITARY EQUIPMENT USE (California Government Code Sections 7070-7075)

### **California Government Code 7070.**

For purposes of this chapter, the following definitions shall apply:

(a) "Governing body" means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff's department or a district attorney's office, "governing body" means the board of supervisors of the county.

(b) "Law enforcement agency" means any of the following:

(1) A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges.

(2) A sheriff's department.

(3) A district attorney's office.

(4) A county probation department.

(c) "Military equipment" means the following:

(1) Unmanned, remotely piloted, powered aerial or ground vehicles.

(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.

(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

(4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

(6) Weaponized aircraft, vessels, or vehicles of any kind.

(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.

(8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

(9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

(11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

(12) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

(13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).

(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.

(15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

(16) Notwithstanding paragraphs (1) through (15), "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

(d) "Military equipment use policy" means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency that addresses, at a minimum, all of the following:

(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.

(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment.

(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.

(4) The legal and procedural rules that govern each authorized use.

(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.

(6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.

(7) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military

equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

(e) "State agency" means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(f) "Type" means each item that shares the same manufacturer model number.

**California Government Code 7071.**

(a) (1) A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable, prior to engaging in any of the following:

(A) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(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 territorial jurisdiction of the governing body.

(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 pursuant to this chapter.

(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 by this paragraph.

(2) No later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with this section. If the governing body does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted pursuant to subdivision (b), within 180 days of submission of the proposed military equipment use policy to the governing body, the law enforcement agency shall cease its use of the military equipment until it receives the approval of the governing body in accordance with this section.

(b) In seeking the approval of the governing body pursuant to subdivision (a), a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those

documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

(c) The governing body shall consider a proposed military equipment use policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(d) (1) The governing body shall only approve a military equipment use policy pursuant to this chapter 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 compared to available alternatives that can achieve the same objective of officer and civilian safety.

(D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(2) In order to facilitate public participation, any proposed or final military equipment use policy shall be made publicly available on the internet website of the relevant law enforcement agency for as long as the military equipment is available for use.

(e) (1) The governing body shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, subject to paragraph (2), vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(2) The governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in subdivision (d). If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth in subdivision (d), the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.

(f) Notwithstanding subdivisions (a) to (e), inclusive, if a city contracts with another entity for law enforcement services, the city shall have the authority to adopt a military equipment use policy based on local community needs.

**California Government Code 7072.**

(a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

(1) A summary of how the military equipment was used and the purpose of its use.

(2) A summary of any complaints or concerns received concerning the military equipment.

(3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

**California Government Code 7073.**

(a) A state agency shall create a military equipment use policy prior to engaging in any of the following:

(1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(2) 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.

(3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(4) Collaborating with a law enforcement agency or another state agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, or to apply to receive, acquire, use, or collaborate in the use of, military equipment.

(7) Acquiring military equipment through any means not provided by this subdivision.

(b) No later than May 1, 2022, a state agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall create a military equipment use policy.

(c) A state agency that is required to create a military equipment use policy pursuant to this section shall do both of the following within 180 days of completing the policy:

(1) Publish the military equipment use policy on the agency's internet website.

(2) Provide a copy of the military equipment use policy to the Governor or the Governor's designee.

**California Government Code 7074.**

The Legislature finds and declares that ensuring adequate oversight of the acquisition and use of military equipment is a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities and shall supersede any inconsistent provisions in the charter of any city, county, or city and county.

**California Government Code 7075.**

Nothing in this chapter shall preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

## INTRODUCTION

The Downey Police Department maintains equipment that qualifies as Military Equipment as defined by California Government Code Section 7070(c). Our mission is to enable our officers to preserve the peace and protect and serve all who live or work in, as well as those who travel through our City as outlined in the [Downey Police Department's mission statement](#).

The department currently possesses ten different types of Military Equipment, which are deployed in accordance with the approved Military Equipment Use Policy and based upon the situational necessity to effectively de-escalate intense situations, to bring volatile conditions and critical incidents to a safe resolution, and to minimize risk to members of our community and first responders during dynamic and unfolding high-risk incidents. These essential pieces of equipment allow the Police Department to maintain a state of readiness through continuous training and equipment familiarity to fulfill our mission to protect the health, safety, and welfare of persons and property within our City.

The following constitutes an inventory of qualifying military equipment acquired and/or used by the Downey Police Department during the 2022 calendar year. The list provides the following information:

- A description of each type of military equipment, the quantity in inventory as of December 31, 2022, its capabilities and purchase cost.
- The purpose for which the Department proposes to use each type of military equipment.
- The authorized use as deemed by the Department for each type of military equipment.
- The expected life span of the item.
- The fiscal impact of each type of military equipment (estimated annual costs of maintaining equipment).



## MILITARY EQUIPMENT INVENTORY

1. **Unmanned Aircraft System (UAS):** An unmanned aircraft along with the associated equipment necessary to control it remotely:
  - a. Description, quantity, capabilities, and purchase cost of current UAS:
    - i. DJI Mavic 2 Enterprise w/ Smart controller, cost: \$3,722.20, quantity: 1. UAS that weighs approximately 905 grams and is able to record video with approximately 31 minutes of flight time. Includes three (3) flight batteries, a battery charging hub, and propeller guards.
    - ii. DJI Mavic 2 Enterprise, quantity: 1, cost: \$1,186.90. UAS that weighs approximately 905 grams and is able to record video with approximately 31 minutes of flight time. Includes propeller guards.
    - iii. DJI Avata Pro, quantity: 4, cost \$1,833.70. UAS that weighs approximately 405 grams and is able to record video with approximately 18 minutes of flight time. Includes batteries, charging hub, DJI Googles 2 and DJI Motion Controller.
    - iv. DJI Matrice 30T Enterprise, quantity 1, cost \$19,350.10 . UAS that weighs approximately 3998 grams and is able to record video utilizing a wide angle camera, up to 200x zoom camera or a thermal imaging camera. Includes: DJI RC Plus Remote Controller, batteries, and battery station.
    - v. DJI Mini 2, quantity 2, cost \$600.00 each. UAS that that weighs approximately 242 grams and is able to record video with approximately 25 minutes of flight time. Includes batteries and charging hub.
  - b. Purpose
    - i. To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:
      1. Major collision investigations.
      2. Search for missing persons
      3. Natural disaster management
      4. Crime scene photography
      5. SWAT, tactical or other public safety and life preservation missions
      6. In response to specific requests from local, state or federal fire authorities for fire response and/or prevention.
  - c. Authorized Use
    - i. Only assigned operators who have completed the required training shall be permitted to operate any UAS during approved missions.
  - d. Expected Life Span
    - i. All UAS equipment, 3-5 years
  - e. Fiscal Equipment
    - i. Annual maintenance and battery replacement cost is approximately \$1,000.00

- f. Training
  - i. All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation.
- g. Legal and Procedural Rules
  - i. Use is established under FAA Regulation 14 CFR Part 107, and the City of Downey UAS policy. It is the policy of the Downey Police Department to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

2. **Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.
  - a. Description, quantity, capabilities, and purchase cost
    - i. LENCO BEARCAT, quantity: 1, cost: \$279,476.80. The Lenco Bearcat is an armored vehicle that seats 10-12 personnel with an open floor plan that allows for rescue of downed personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
  - b. Purpose
    - i. To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.
  - c. Authorized Use
    - i. The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.
  - d. Lifespan
    - i. Lenco Bearcat, 25 years
  - e. Fiscal Impact
    - i. Annual maintenance cost of approximately \$5,000.00
  - f. Training
    - i. All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction
  - g. Legal and Procedural Rules
    - i. It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

3. **37/40 MM Launchers and Rounds:** 37/40MM Launchers are utilized by department personnel as a less than lethal tool to launch impact rounds.
- a. Description, quantity, capabilities, and purchase cost
    - i. Defense Technology, LMT Tactical 40MM Single Shot Launcher, quantity: 2, cost: \$1,000. The 40MM Tactical Launcher is a tactical single shot launcher that features an expandable stock and an adjustable integrated front grip with light rail. It will fire standard 40MM less than lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less than lethal round up to 131 feet and is only authorized to be used by trained personnel.
    - ii. PennArms Arwin, 37MM Tactical 6-Shot Launcher, quantity: 2, cost: \$1,000. The 37MM 6-shot launcher is low profile and lightweight, providing multi-shot capability in an easy to carry launcher. It will launch a 37/40MM less than lethal round up to 131 feet and is only authorized to be used by trained personnel.
    - iii. Defense Technology, 40MM Exact Impact Sponge, #6325, cost: \$18, quantity: 50. A less than lethal 40MM lightweight plastic and foam projectile fired from a single or multi-round purpose built 40MM grenade launcher with a rifled barrel at 325 feet per second (FPS). The 30-gram foam projectile delivers 120 ft/lbs. of energy on impact. The 40MM Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target.
    - iv. Defense Technology, 40MM Liquid CS Barricade Penetrator Round, cost: \$23, quantity: 8. A less than lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the round is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
    - v. Defense Technology, 40MM Direct Impact CS Crushable Foam Round, cost: \$30, quantity: 38. A less than lethal 40MM lightweight crushable foam projectile fired from a single or multi-round purpose built 40MM grenade launcher with a rifled barrel at 295 FPS. The crushable foam projectile delivers 120 ft/lbs. of energy upon impact in addition to dispersion of 5 grams of OC irritant. The 40MM round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
    - vi. Combined Systems (CTS), 40MM Foam Baton Round, cost: \$30, quantity: 10. A less than lethal 40MM lightweight spin-stabilized projectile fired from a single or multi-round purpose built 40MM grenade launcher at 240-260 ft./sec. The projectile is extremely accurate and consistent, however is dependent on the launcher, using open sights vs. an improved sight, environmental conditions,

and the operator. Effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.

- vii. Defense Technology, 40MM Rubber Baton Round, cost: \$27, quantity: 2. The 40MM rubber baton incorporates a 4.8-inch casing that contains three (3) rubber projectiles and fires at 260 FPS. The 40MM Rubber Baton Round is generally deployed in low trajectories or skip fired in the general direction of the intended targets and is most suitable at medium to extended ranges of fire, approximately 30 to 60 feet.
- viii. Defense Technology, 40MM Bean Bag Round, cost: \$10, quantity: 1. A less than lethal 40MM round firing a ballistic bag filled with bagged silica sand shot at a velocity of 220 FPS. The 40MM Bean Bag Round is most suitable in moderately close to medium ranges, approximately 20 to 35 feet.
- ix. Sage, 37MM Impact Baton Round, K01, cost: \$15, quantity: 221. A less than lethal 37MM fired from a 37MM launcher and is a direct fire modular impact baton round that is designed to be used in situations where kinetic energy is preferred for the incapacitation of hostile individuals.
- x. Federal Labs, 37MM 560 CS Barricade Ferret Round, cost: \$25, quantity: 2. A less than lethal 37MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, it instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the round is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- xi. Federal Labs, 37MM 530 CS Barricade Ferret Round, cost: \$25, quantity: 4. A less than lethal 37MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, it instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the round is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- xii. Federal Labs, 37MM 230 CN Barricade Ferret Round, cost: \$25, quantity: 6. A less than lethal 37MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, it instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the round is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- xiii. Federal Labs, 37MM Liquid CS Barricade Ferret Round, cost: \$20, quantity: 2. A less than lethal 37MM round used to penetrate barriers, such as windows,

hollow core doors, wallboard and thin plywood. Upon impacting the barrier, it instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the round is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.

- xiv. Defense Technology, 40mm Foam Baton Round, cost: \$30 Quantity: 5. The 40mm 6099 foam baton round is most widely used as a crowd management tool where stand-off distances are limited.
- xv. Defense Technology, 40mm Sponge Round, cost: \$20, quantity: 16. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel.

b. Purpose

- i. To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

- i. Situations for use of the less than lethal weapon systems may include, but are not limited to:
  - 1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
  - 2. The suspect has made credible threats to harm him/herself or others.
  - 3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
  - 4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

d. Training

- i. Sworn members utilizing 37/40MM less than lethal chemical agents or impact rounds are trained in their use by POST certified less than lethal and chemical agents instructors.

e. Lifespan

- i. Defense Technology, LMT Tactical 40MM Single Shot Launcher – 25 years
- ii. Arvin, 37MM Tactical 6-Shot Launcher – 25 years
- iii. Defense Technology, 40MM Exact Impact Sponge, Defense Technology, 40MM Liquid CS Barricade Penetrator Round, Defense Technology, 40MM Direct Impact CS Crushable Foam Round, Combined Systems (CTS), 40MM Foam Baton Round, Defense Technology, 40MM Rubber Baton Round, Defense Technology, 40MM Bean Bag Round – 5 years
- iv. Sage, 37MM Impact Baton Round, K01 – 25 years

- v. Federal Labs, 37MM 560 CS Barricade Ferret Round, Federal Labs, 37MM 530 CS Barricade Ferret Round, Federal Labs, 37MM 230 CN Barricade Ferret Round, Federal Labs, 37MM Liquid CS Barricade Ferret Round – 5 years.
- f. Fiscal Impact
  - i. Annual maintenance is approximately \$50 for each launcher
- g. Legal and Procedural Rules
  - i. It is the policy of the Downey Police Department to utilize the 40MM only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

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4. **Less than lethal Shotgun and Rounds:** Less than lethal Shotgun is used to deploy the less than lethal drag stabilized 12-gauge bean bag round.
- a. Description, quantity, capabilities, and purchase cost
    - i. Remington 870 less than lethal shotgun, cost: \$946, quantity: 21. The Remington 870 Less than lethal Shotgun is used to deploy the less than lethal 12-gauge bean bag round up to a distance of 75 feet. The range of the weapon systems helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of de-escalation.
    - ii. Defense Technology Drag Stabilized 12-gauge Bean Bag Round, cost: \$5, quantity: 466. A less than lethal 2.5-inch 12-gauge shotgun round firing a cotton and ballistic material bag filled with #9 shot that is shot at a velocity of 270 FPS. Bean Bag Rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and foregrip. This round provides accurate and effective performance when fired from the recommended distance of approximately 20 to 50 feet. The round utilizes four (4) stabilizing tails and utilizes smokeless powder as the propellant.
  - b. Purpose
    - i. To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.
  - c. Authorized Use
    - i. Situations for use of the less than lethal weapon systems may include, but are not limited to:
      1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
      2. The suspect has made credible threats to harm him/herself or others.
      3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
      4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.
  - d. Lifespan
    - i. Remington 870 Less than lethal Shotgun – 25 years.
    - ii. Defense Technology Drag Stabilized 12-gauge Bean Bag round – No listed expiration date.
  - e. Fiscal Impact
    - i. Annual maintenance is approximately \$50 for each shotgun
  - f. Training
    - i. All officers are trained in the 12-gauge less than lethal shotgun as a less than lethal option by in-service training
  - g. Legal and Procedural Rules
    - i. Use is established under DPD Policy Manual Section 303.9. It is the policy of the Downey Police Department to utilize the less than lethal shotgun only for official



law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

5. **Federal Laboratories 40MM Launching Cup:** Cup that attaches to 12-gauge less than lethal shotguns which allows officers to launch canisters of chemical agents or smoke.
- a. Description, quantity, capabilities and purchase cost
    - i. Federal Laboratories 40MM Launching Cup, cost: \$300, quantity: 1. The launching cup is designed to launch canisters of chemical agents or smoke. The cup can be attached to virtually any 12-gauge shotgun and the munition launched with a launching cartridge.
  - b. Purpose
    - i. To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.
  - c. Authorized Use
    - i. Situations for use of the less than lethal weapon systems may include, but are not limited to:
      - 1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
      - 2. The suspect has made credible threats to harm him/herself or others.
      - 3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
      - 4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.
  - d. Lifespan
    - i. Federal Laboratories 40MM Launching Cup – 25 years
  - e. Fiscal Impact
    - i. No annual maintenance
  - f. Training
    - i. Officers utilizing the launching cup are trained by POST certified chemical agents instructors.
  - g. Legal and Procedural Rules
    - i. It is the policy of the Downey Police Department to utilize the 40MM only for official law enforcement purposes, and pursuant to State and Federal Law, including those regarding the use of force.

6. **Distraction Devices:** A device used to distract dangerous persons.
- a. Description, quantity, capabilities, and purchase cost
    - i. Defense Technologies, Low Roll Non-reloadable distraction device, cost: \$62, quantity: 9. A non-bursting device that produces a thunderous bang with an intense bright light producing 6 – 8 million candelas. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
  - b. Purpose
    - i. A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6-8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.
  - c. Authorized Use
    - i. Diversionary Devices shall only be used:
      - 1. By officers who have been trained in their proper use.
      - 2. In hostage and barricaded subject situations.
      - 3. In high risk warrant (search/arrest) services where there may be extreme hazards to officers.
      - 4. During other high-risk situations where their use would enhance officer safety.
      - 5. During training exercises.
  - d. Lifespan
    - i. Until used.
  - e. Fiscal Impact
    - i. No annual maintenance
  - f. Training
    - i. Prior to use, officers must attend diversionary device training that is conducted by POST certified instructors.
  - g. Legal and Procedural Rules
    - i. It is the policy of the Downey Police Department to utilize diversion devices only for official law enforcement purposes, in accordance with policy guidelines and pursuant to State and Federal law regarding the use of force.

7. **Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed.
- a. Description, quantity, capabilities, and purchase cost.
    - i. Defense Technology, Riot Control Continuous Discharge Grenade, CS, #1082, cost: \$30, quantity: 75. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. The grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
    - ii. Defense Technology, Riot Control Continuous Discharge Grenade, OC, #1080, cost: \$37, quantity: 25. The Riot Control OC Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 0.88 oz. of active agent.
    - iii. Defense Technology, Pocket Tactical CS Grenade, #1016, cost: \$30, quantity: 19. The Pocket Tactical CS Grenade is small, and lightweight. The 0.9 oz. of active agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 in. in size, it easily fits in most tactical pouches. This is a launchable grenade; however, it is normally used as a signaling or covering device. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full-size tactical grenade.
    - iv. CTS CS Baffled Canister Smoke Grenade, #5230B, cost: \$30, quantity: 12. The Baffled Canister Smoke Grenade is designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire. It expels its payload in approximately 20-40 seconds through four emission ports and is 6.20 in. by 2.60 in.
    - v. Defense Technology, Spede-Heat Continuous Discharge Chemical Grenade, CS, #1072, cost: \$32, quantity: 21. The Spede-Heat CS Grenade is a high volume, continuous burn and it expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports, three on the side and one on the bottom. This launchable grenade is 6.12 in. by 2.62 in. and holds approximately 2.0 oz. of active agent.
    - vi. Defense Technology, Stinger CS Rubber Ball Grenade, #1088, cost: \$32, quantity: 10. The Stinger CS Rubber Ball Grenade is a maximum effect device that delivers four stimuli for psychological and physiological effects: rubber pellets, light, sound, and CS. The Stinger Grenade is most widely used as a

crowd management tool. The Stinger Grenade has an initial 1.5 second delay that initiates fuze assembly separation, followed by another .5 second delay before the blast which is sufficient to project the rubber balls and chemical agent in a 50-foot radius.

- vii. Defense Technology, Stinger Rubber Ball Grenade, #1087, cost: \$30, quantity: 29. The Stinger Grenade is a maximum effect device that delivers three stimuli for psychological and physiological effects: rubber pellets, light and sound. The Stinger Grenade is most widely used as a crowd management tool. The Rubber Ball Blast Grenade is used to deliver 60 caliber rubber balls with the stimuli of light and sound. The Rubber Ball Grenade has an initial 1.5 second delay that initiates fuze assembly separation, followed by another .5 second delay before the function of the device.
- viii. Federal Labs, Spede-Heat #555, cost \$30, quantity: 36. This is a continuous burn device and expels its payload in approximately 20-40 seconds. The launchable device is 6.12 in. by 2.62 in. and holds approximately 2.9 oz of active agent.
- ix. Defense Technology, Aerosol OC Vapor, #1056, Cost \$30, quantity:31. The OC Vapor Aerosol Grenade is used to deliver a high concentration of Oleoresin Capsicum (OC) in a powerful mist. It is designed for indoor-use in confined areas such as cell extractions or barricade situations where the use of pyrotechnic, powder, or liquid devices is not practical or desired.
- x. Defense Technology, Triple-Chaser Separating Canister #1026, Cost: \$50, Quantity: 21. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This launchable grenade is 6.5 in. by 2.7 in. and holds approximately 3.2 oz. of active agent with an approximate burn time of 20-30 seconds.
- xi. Fed Labs, #515 CS Separating triple chaser grenade, Cost: \$30, Quantity: 10. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time.

b. Purpose

- i. To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less than lethal weapon systems may include, but are not limited to:
  - 1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
  - 2. The suspect has made credible threats to harm him/herself or others.
  - 3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
  - 4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders

- c. Authorized use
  - i. Only officers who have received training in the use of chemical agents from POST certified instructors.
- d. Training
  - i. Sworn members utilizing chemical agent canisters are certified by POST less than lethal and chemical agents instructors.
- e. Lifespan
  - i. 5 years from manufacturing date
- f. Fiscal Impact
  - i. No annual maintenance
- g. Legal and Procedural Rules.
  - i. It is the policy of the Downey Police Department to utilize chemical agents only for official law enforcement purposes, in accordance with policy, and pursuant to State and Federal law, including those regarding the use of force.

8. **PepperBall Launcher and Projectiles:** A device that discharges irritant projectiles.
- a. Description, quantity, capabilities, and purchase cost
    - i. PepperBall FTC Basic Launcher, cost: \$500, quantity: 4. The FTC Basic Launcher is a compressed-air powered launcher designed to fire non-lethal PepperBall projectiles. The launcher is semi-automatic, has a firing rate of 10-12 projectiles per second and is fed by a hopper that feeds 20+ projectiles per second.
    - ii. PepperBall Live-X Projectile, cost: \$3 per projectile, quantity: 0. The Live Projectile contains a concentrated amount of PAVA pepper powder. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and area of saturation of 150+ ft. The projectile contains 5% PAVA powder.
    - iii. PepperBall Inert Projectile, cost: \$3 per projectile, quantity: 0. The Inert projectile contains a harmless, scented powder and is best suited for training, qualifications, and direct impact when chemical exposure is not desired. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ ft.
    - iv. Mission Less than lethal ID Marking Projectile, cost: \$1.60 per projectile, quantity: 0. This projectile contains a paint solution that can be used to mark suspects for later apprehension and/or marking doors, openings, or objects for identification. The Mission Less than lethal ID Marking Projectile is discharged from a PepperBall Launcher.
    - v. Mission Less than lethal OC Projectile, cost: \$1.40 per projectile, quantity: 500. This projectile is discharged from a PepperBall Launcher and contains a concentrated amount of OC and PAVA powder. The projectile has a direct impact of 66ft and creates a 5-foot wide defensive cloud of chemical irritant.
    - vi. Mission Less than lethal Impact Projectile, cost: \$0.57 per projectile, quantity: 1,000. This projectile is discharged from a PepperBall Launcher and is an advanced polymer impact round used when chemical exposure is not desired. The projectile has a direct impact of 66ft.
  - b. Purpose
    - i. To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less than lethal weapon systems may include but, are not limited to:
      - 1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
      - 2. The suspect has made credible threats to harm him/herself or others.
      - 3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.

4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders
- c. Authorized Use
  - i. Only those officers who have been trained in the use of PepperBall Launchers are authorized to use the PepperBall Launchers.
- d. Training
  - i. Sworn members utilizing PepperBall Launchers and projectiles are trained in their use by POST certified less than lethal and chemical agents instructors.
- e. Lifespan
  - i. PepperBall FTC Basic Launcher – 20 years
  - ii. PepperBall Live-X Projectile – 3 years
  - iii. PepperBall Inert Projectile – 3 years
  - iv. Mission Less than lethal ID Marking Projectile – 3 years
  - v. Mission Less than lethal OC Projectile – 3 years
  - vi. Mission Less than lethal Impact Projectile – 3 years
- f. Fiscal impact
  - i. Annual maintenance is approximately \$50 for each PepperBall Launcher
- g. Legal and Procedural Rules
  - i. It is the policy of the Downey Police Department to utilize PepperBall only for official law enforcement purposes, in accordance with department policy and pursuant to State and Federal law, including those regarding the use of force.



9. **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.
- a. Description, quantity, capabilities and purchase cost
    - i. Colt AR-15 M4 Carbine 5.56 Caliber Rifle, cost: \$900, quantity: 29. Highly accurate and durable gas operated semi-automatic rifle which includes a 4-position collapsible stock. The magazine holds 30 rounds of ammunition and the barrel is chrome lined with a 1:7" right-hand twist.
    - ii. Winchester Ranger .223 Caliber 55 Grain Rifle Round, cost: \$448 per case of 1,000, quantity: 8,300. The Winchester Ranger 223 Remington ammunition features a 55 grain pointed soft point bullet and is intended for law enforcement use. The ammunition has a muzzle velocity of 3,240 FPS, is reloadable, features brass cases and boxer primers and is non-corrosive.
  - b. Purpose
    - i. Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include, but are not limited to:
      - 1. Situations where the member reasonably anticipates an armed encounter.
      - 2. When a member is faced with a situation that may require accurate and effective fire at long range.
      - 3. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
      - 4. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
      - 5. When a member reasonably believes that a suspect may be wearing body armor.
      - 6. When authorized or requested by a supervisor.
      - 7. When needed to euthanize an animal.
  - c. Authorized Use
    - i. Only members that are POST certified are authorized to carry/use a rifle.
  - d. Lifespan
    - i. Colt AR-15 M4 Carbine 5.56 Caliber Rifle – No expiration
    - ii. Winchester Ranger .223 Caliber 55 Grain Rifle Round – No expiration
  - e. Fiscal Impact
    - i. Annual maintenance is approximately \$50 for each rifle
  - f. Training
    - i. Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that carry/operate a rifle are required to pass quarterly range qualifications each year.

g. Legal and Procedural Rules

- i. Use is established under Downey Police Department Policy Section 306.2.5. It is the policy of the Downey Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

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

a. Description, quantity, and capabilities.

- i. Colt AR-15 M4 Carbine 5.56 Caliber Rifle, quantity: 11. Highly accurate and durable gas operated semi-automatic rifle which includes a 4-position collapsible stock. The magazine holds 30 rounds of ammunition and the barrel is chrome lined with a 1:7" right-hand twist.
- ii. Daniel Defense DDM4 Law Enforcement Patrol Rifle, quantity: 3. Highly accurate and durable gas operated semi-automatic rifle. The magazine holds 30 rounds of ammunition and the 16" barrel is cold hammer forged with a 1:7" right hand twist.
- iii. Bravo Company BCM4 5.56 Caliber Rifle, quantity: 1. Highly accurate and durable gas operated semi-automatic rifle. The magazine holds 30 rounds of ammunition and the 16" barrel is chrome lined with a 1:7" right-hand twist.

b. Purpose

- i. Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include, but are not limited to:
  1. Situations where the member reasonably anticipates an armed encounter.
  2. When a member is faced with a situation that may require accurate and effective fire at long range.
  3. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
  4. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
  5. When a member reasonably believes that a suspect may be wearing body armor.
  6. When authorized or requested by a supervisor.
  7. When needed to euthanize an animal.

c. Authorized Use

- i. Only members that are POST certified are authorized to carry/use a rifle. Members are also required to receive written approval from the Chief of Police or authorized designee to carry the rifle on duty after it is inspected by a Downey Police Department AR-15 armorer.

d. Lifespan

- i. Colt AR-15 M4 Carbine 5.56 Caliber Rifle – No expiration

e. Fiscal Impact

- i. No fiscal impact to Department as employee is responsible for purchase and maintenance of personally owned rifles authorized for on duty usage.

- f. Training
  - i. Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that carry/operate a rifle are required to pass quarterly range qualifications each year.
- g. Legal and Procedural Rules
  - i. The use of personally owned duty patrol rifles is established under Downey Police Department Policy Section 306.2.5. It is the policy of the Downey Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

## **MILITARY EQUIPMENT USE SUMMARY (2022)**

This section outlines the usage of military equipment by the Downey Police Department during the 2022 calendar year. Certain items, particularly ammunition, diversionary devices, Pepper balls and chemical agents are used throughout the year on a regular basis for training to maintain proficiency. This section does not include training use and only provides data for operational use of military equipment listed within this report.

### **1. Unmanned Aircraft System (UAS):**

The department utilized the Unmanned Aerial System 32 times in 2022. The usage included:

- **February 24, 2022**  
The UAS was deployed to assist with a search for an individual who fled from a vehicle during a traffic stop.
- **March 10, 2022**  
The UAS was deployed to assist with a search of a business during a call for service of a burglary alarm activation.
- **August 31, 2022**  
The UAS was deployed to assist with a search of a residence during a call for service of a burglary alarm activation
- **September 07, 2022**  
The UAS was deployed to assist during a search warrant service.
- **September 07, 2022**  
The UAS was deployed to assist with an aerial search of roof tops during an investigation.
- **September 23, 2022**  
The UAS was deployed to assist during the search of an elementary school after an audible alarm was activated and an open door was located.
- **September 23, 2022**  
The UAS was deployed to assist with the search of a business during a call for service of a burglary alarm.
- **September 27, 2022**  
The UAS was deployed during a trespass call for service and an individual was observed walking on the roof of a business.

- September 28, 2022  
The UAS was deployed to assist in the search of a business where a burglary suspect was found locked inside a closed business.
- September 30, 2022  
The UAS was deployed to assist in the search of a vehicle after 3 individuals were detained during an investigation.
- October 05, 2022  
The UAS was deployed to assist in contacting an individual who was reported to be armed with a firearm inside a vehicle.
- October 05, 2022  
The UAS was deployed to assist with a search of a residence during an assault with a deadly weapon investigation involving a shotgun.
- October 05, 2022  
The UAS was deployed to assist with the search of a vehicle during a traffic stop involving an individual brandishing a firearm.
- October 07, 2022  
The UAS was deployed to assist with a traffic stop of a vehicle involved in a burglary.
- October 08, 2022  
The UAS was deployed to assist during a burglary alarm investigation.
- November 01, 2022  
The UAS was deployed to assist during a burglary alarm investigation.
- November 03, 2022  
The UAS was deployed to assist during a burglary alarm investigation.
- November 03, 2022  
The UAS was deployed to assist during a burglary alarm investigation.
- November 04, 2022  
The UAS was deployed to assist clearing a reported stolen vehicle.
- November 10, 2022  
The UAS was deployed to assist during a high-risk traffic stop to clear a vehicle that was used during a crime.

- November 24, 2022  
The UAS was deployed to assist with the search of a backyard to locate and arrest an assault suspect.
- December 07, 2022  
The UAS was deployed to assist with the search of a vacant apartment which a reporting party advised they had heard footsteps inside.
- December 10, 2022  
The UAS was deployed to assist with a search for suspect(s) regarding a residential burglary call.
- December 13, 2022  
The UAS was deployed to assist with a search of a school campus due to a bomb threat.
- December 16, 2022  
The UAS was deployed to assist with the roof top search of a business regarding subjects on the roof.
- December 16, 2022  
The UAS was deployed to assist with the search of a yard after subjects fled on foot from a reported stolen vehicle.
- December 16, 2022  
The UAS was deployed to assist with the search of a building during a reported commercial burglary.
- December 22, 2022  
The UAS was deployed to assist with a yard search for subjects who fled on foot from a vehicle after it was involved in a traffic collision.
- December 26, 2022  
The UAS was deployed to assist with a search of the San Gabriel Riverbed and the bike path along side it for victims or suspects of a reported shots fired call.
- December 31, 2022  
The UAS was deployed to assist with a search during a commercial burglary alarm call.

**2. Armored Vehicles (ARV – Lenco Bearcat):**

The department utilized the Armored Rescue Vehicle 8 times in 2022. The usage included:

- April 22, 2022

**SWAT** executed a high-risk search warrant and utilized the ARV during their response.

- May 18, 2022

**SWAT** was deployed for a barricaded suspect wanted for attempted homicide and utilized the ARV during their response.

- June 28, 2022

**SWAT** executed a high-risk search warrant at a residence and utilized the ARV during their response. The location was secured without incident for the handling detectives.

- July 22, 2022

**Patrol** responded to an aggravated assault with a firearm in the area of the riverbed and east city limits. Upon arrival, officers were advised the subject was wanted for aggravated assault and homicide. Witnesses stated the subject entered an encampment. Officers setup a perimeter, the ARV was deployed, and K-9 announcements were made. The suspect surrendered peacefully and without incident.

- August 17, 2022

**SWAT** executed two high risk search warrants in support of the Detective Bureau relating to a homicide investigation. The ARV was deployed to the scene which was secured without incident.

- August 18, 2022

**SWAT** executed a third search warrant, in the city of San Pedro, related to the aforementioned homicide investigation. The location was secured without incident for the bureau.

- September 6, 2022

**Patrol** responded to a report of an aggravated assault with a firearm. A male subject was seen shooting from the street and running from the scene. Investigation revealed the subject ran to a nearby apartment complex and the subject was identified. The ARV was deployed to the scene and the suspect surrendered.

- September 7, 2022

**SWAT** executed a high-risk warrant for narcotics detectives. The location secured and turned over to DB personnel.



**3. 37/40 MM Launchers**

- The 37/40 MM Launcher was not discharged operationally during 2022.

**4. Less Than Lethal Shotgun:**

- June 13, 2022  
The less than lethal bean bag shotgun was discharged operationally and aided in detaining an aggravated assault suspect.
- June 30, 2022  
The less than lethal bean bag shotgun was discharged operationally and aided in detaining an aggravated assault suspect.
- November 12, 2022  
The less than lethal bean bag shotgun was discharged operationally and aided in detaining an auto theft suspect.

**5. Federal Laboratories 40MM Launching Cup:**

- The 40mm launching cup was not discharged operationally during 2022.

**6. Distraction Devices (Flash Bang):**

- April 22, 2022  
A distraction device was deployed during a search warrant.
- May 18, 2022  
A distraction device was deployed during a S.W.A.T. operation involving a barricaded suspect.
- May 18, 2022  
A distraction device was deployed during a S.W.A.T. operation involving a barricaded suspect.
- September 07, 2022  
A distraction device was deployed during a barricaded suspect incident.
- November 07, 2022  
A distraction device was deployed operationally and aided in detaining a robbery suspect.

**7. Chemical Agent and Smoke Canisters:**

- Chemical agents and smoke canisters were not discharged operationally during 2022.

**8. Pepperball Launcher:**

- The pepperball launcher was not discharged operationally during 2022.

**9. Rifles:**

- Rifles were not discharged operationally during 2022.

**10. Personally Owned Rifles:**

- Personally owned rifles were not discharged operationally during 2022.

## **COMPLAINTS REGARDING MILITARY EQUIPMENT USAGE (2022)**

The deployment and use of Military Equipment may raise questions or concerns for members of our community. Members of our community can contact the Downey Police Department at 562-861-0771. Complaints regarding Military Equipment usage will be investigated by the Profession Standards Unit. To review the [Personnel Complain Policy](#) or to access the [complaint form](#), click the hyperlinks. Completed complaint forms may be submitted in person to the on-duty Watch Commander or mail/E-mailed to:

Lieutenant Vince Rosario  
Downey Police Department  
10911 Brookshire Ave  
Downey, CA 90241  
E-mail: [vrosario@downeyca.org](mailto:vrosario@downeyca.org)

In 2022, the Downey Police Department did not receive any complaints regarding Military Equipment use.

## **INTERNAL AUDIT OF MILITARY EQUIPEMNT USE (2022)**

The Professional Standards Sergeant for the Downey Police Department has conducted an internal audit of the acquisition and use of Military Equipment during the 2022 calendar year and has not found any violations of the approved Military Equipment Use Policy.

## **INTENDED MILITARY EQUIPMENT ACQUISITION (2023)**

Pursuant to the approved Military Equipment Use Policy and to further the Police Department's mission to protect and serve, the Downey Police Department intends on acquiring additional military equipment during the 2023 calendar year. The Downey Police Department seeks the City Council's approval to acquire and maintain up to the maximum number of each equipment as set forth hereinbelow.

### **1. Unmanned Aircraft System (UAS)**

- a. DJI Mavic 2 Enterprise w/ Smart Controller
  - i. 2022 Quantity: 1 / 2023 Maximum Quantity: 1
- b. DJI Mavic 2 Enterprise
  - i. 2022 Quantity: 1 / 2023 Maximum Quantity: 1
- c. DJI Avata Pro
  - i. 2022 Quantity: 2 / 2023 Maximum Quantity: 6
- d. DJI Matrice 20T Enterprise
  - i. 2022 Quantity: 1 / 2023 Maximum Quantity: 1
- e. DJI Mini 2
  - i. 2022 Quantity: 2 / 2023 Maximum Quantity: 4
- f. DJI Mavic 3
  - i. 2022 Quantity: 0 / 2023 Maximum Quantity: 8

### **2. Armored Vehicles**

- a. Lenco Bearcat
  - i. 2022 Quantity: 1 / 2023 Maximum Quantity: 1

### **3. 37/40 MM Launchers and Rounds**

- a. Defense Technology LMT Tactical 40 MM Single Shot Launcher
  - i. 2022 Quantity: 2 / 2023 Maximum Quantity: 2
- b. PennArms Arwin 37 MM Tactical 6-Shot Launcher
  - i. 2022 Quantity: 2 / 2023 Maximum Quantity: 2
- c. Defense Technology 40 MM Exact Impact Sponge, #6325
  - i. 2022 Quantity: 50 / 2023 Maximum Quantity: 50
- d. Defense Technology 40 MM Liquid CS Barricade Perpetrator Round
  - i. 2022 Quantity: 12 / 2023 Maximum Quantity: 25
- e. Defense Technology 40 MM Direct Impact CS Crushable Foam Round
  - i. 2022 Quantity: 50 / 2023 Maximum Quantity: 50

- f. Combined Systems (CTS) 40 MM Foam Baton Round
    - i. 2022 Quantity: 14 / 2023 Maximum Quantity: 50
  - g. Defense Technology 40 MM Rubber Baton Round
    - i. 2022 Quantity: 100 / 2023 Maximum Quantity: 100
  - h. Defense Technology 40 MM Bean Bag Round
    - i. 2022 Quantity: 1 / 2023 Maximum Quantity: 1
  - i. Sage 37 MM Impact Baton Round, K01
    - i. 2022 Quantity: 250 / 2023 Maximum Quantity: 250
  - j. Federal Labs 37 MM 560 CS Barricade Ferret Round
    - i. 2022 Quantity: 11 / 2023 Maximum Quantity: 20
  - k. Federal Labs 37 MM 530 CS Barricade Ferret Round
    - i. 2022 Quantity: 4 / 2023 Maximum Quantity: 20
  - l. Federal Labs 37 MM 230 CN Barricade Ferret Round
    - i. 2022 Quantity: 6 / 2023 Maximum Quantity: 20
  - m. Federal Labs 37 MM Liquid CS Barricade Ferret Round
    - i. 2022 Quantity: 2 / 2023 Maximum Quantity: 20
4. **Less Than Lethal Shotgun(s) and Rounds**
- a. Remington 870 Less Than Lethal Shotgun
    - i. 2022 Quantity: 21 / 2023 Maximum Quantity: 21
  - b. Defense Technology Drag Stabilized 12-Gauge Bean Bag Round
    - i. 2022 Quantity: 466 / 2023 Maximum Quantity: 500
5. **Federal Laboratories 40 MM Launching Cup**
- a. Federal Laboratories 40 MM Launching Cup
    - i. 2022 Quantity: 1 / 2023 Maximum Quantity: 1
6. **Distraction Devices**
- a. Defense Technologies Low Roll Non-Reloadable Distraction Device
    - i. 2022 Quantity: 24 / 2023 Maximum Quantity: 50
7. **Chemical Agent and Smoke Canisters**
- a. Defense Technology Riot Control Continuous Discharge Grenade, CS, #1082
    - i. 2022 Quantity: 75 / 2023 Maximum Quantity: 75
  - b. Defense Technology Riot Control Continuous Discharge Grenade, OC, #1080
    - i. 2022 Quantity: 25 / 2023 Maximum Quantity: 75

- c. Defense Technology Pocket Tactical CS Grenade, #1016
    - i. 2022 Quantity: 21 / 2023 Maximum Quantity: 75
  - d. CTS CS Baffled Canister Smoke Grenade, #5230B
    - i. 2022 Quantity: 11 / 2023 Maximum Quantity: 25
  - e. Defense Technology Spede-Heat Continuous Discharge Chemical Grenade, CS, #1072
    - i. 2022 Quantity: 50 / 2023 Maximum Quantity: 50
  - f. Defense Technology Stinger CS Rubber Ball Grenade, #1088
    - i. 2022 Quantity: 19 / 2023 Maximum Quantity: 50
  - g. Defense Technology Stinger Rubber Ball Blast Grenade, #1087
    - i. 2022 Quantity: 24 / 2023 Maximum Quantity: 50
- 8. PepperBall Launcher and Projectiles**
- a. PepperBall FTC Basic Launcher
    - i. 2022 Quantity: 4 / 2023 Maximum Quantity: 8
  - b. PepperBall Live-X Projectile
    - i. 2022 Quantity: 90 / 2023 Maximum Quantity: 125
  - c. PepperBall Inert Projectile
    - i. 2022 Quantity: 200 / 2023 Maximum Quantity: 300
  - d. Mission Less Than Lethal ID Marking Projectile
    - i. 2022 Quantity: 375 / 2023 Maximum Quantity: 450
  - e. Mission Less Than Lethal OC Projectile
    - i. 2022 Quantity: 500 / 2023 Maximum Quantity: 500
  - f. Mission Less Than Lethal Impact Projectile
    - i. 2022 Quantity: 1000 / 2023 Maximum Quantity: 1000
- 9. Rifles**
- a. Colt AR-15 M4 Carbine 5.56 Caliber Rifle
    - i. 2022 Quantity: 29 / 2023 Maximum Quantity: 35
  - b. Winchester Ranger .223 Caliber 55 Grain Rifle Round
    - i. 2022 Quantity: 8300 / 2023 Maximum Quantity: 10,000

**10. Personally Owned Rifles**

- a. These pieces of military equipment are acquired and owned by individual officers, and the Downey Police Department is not seeking authorization for the acquisition of this equipment. Any use of this type of military equipment for official duty would be with the approval of the Chief of the Downey Police Department and in accordance with the approved Military Use Policy and other Department policies.

All funding for the acquisition of the above-listed military equipment (with the exception of Personally Owned Rifles) will be provided from the annual Police Department Budget as approved by the City Council (with possible reimbursement from available grants).