

# 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** – City of Glendora City Council.

**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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- Notwithstanding the previous 15 bullet-points, "military equipment" does not include general equipment not designated as prohibited or controlled by the Federal Defense Logistics Agency (DLA).

### **706.2 POLICY**

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

### **706.3 MILITARY EQUIPMENT COORDINATOR**

The Captain or authorized designee will 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 City Council 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 City Council..
- (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 Glendora 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 City Council 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 (See Section 706.6 below).

### **706.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department:

#### **706.4.1 RECON SCOUT**

Unmanned machine operating on the ground utilized to enhance the safety of the community and officers.

- A. Description, quantity, capabilities, and purchase cost:

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1. Description: Unmanned machine is operated on the ground and is designed to provide audio and visual information while searching an area, typically inside a building, before entry is made by officers
  2. Quantity: One (1)
  3. Capabilities: This machine operates on two wheels and is controlled remotely by an operator who receives a live audio/video feed from the robot.
  4. Cost: The Recon Scout was purchased in 2014 for \$14,100
- B. Purpose: The Recon Scout is used to provide tactical operators information about the structure, layout, and potential hazards of an area that has yet to be searched for subjects or suspects.
- C. Authorized Use: The Recon Scout may be used by operators during a tactical situation if it is determined that the use of this equipment might increase the safety to law enforcement personnel, any subjects or suspects encountered, or the community.
- D. Expected Lifespan: Approximately 10-15 years, depending on the availability of replacement parts and/or maintenance.
- E. Fiscal Impact: Annual maintenance and battery replacement cost is approximately \$200.
- F. Training: All Recon Scout operators will undergo training, provided by the S.W.A.T. team, and must demonstrate proficiency prior to using this equipment.
- G. Legal and Procedural Rules: The Recon Scout will only be deployed for official law enforcement purposes. Any deployment will comply with applicable State and Federal laws.

### 706.4.2 40 MM SINGLE LAUNCHER

40 MM launchers are utilized by Department personnel as a less lethal tool to launch impact rounds.

- A. Description, quantity, capabilities, and purchase cost:
1. Description: 40 MM launchers are used by department members as a less lethal tool to launch direct impact munitions as well as chemical munitions. The 40 MM single launcher weighs approximately 3.5 lbs., with a 14" barrel.
  2. Quantity: One (1)
  3. Capabilities: The Defense Technology 40 MM single launcher is designed to launch direct fired less lethal impact munitions.
  4. Cost: The Defense Technology single launcher was purchased circa 2003 at a cost of approximately \$1500.
- B. Purpose: The Defense Technology 40 MM single launcher is used to launch less lethal impact munitions as a use of force option. It is also designed to launch chemical munitions as a use of force option.

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- C. Authorized Use: Only officers who have completed an approved training are permitted to deploy this equipment.
- D. Expected Life Span: 25 years.
- E. Fiscal Impact: Annual maintenance is estimated to be less than \$50.
- F. Training: All officers who deploy the 40 MM single launcher shall complete a two-hour course of training, to include a written test and practical application provided by members of the S.W.A.T. team. Recertification takes place annually.
- G. Legal and Procedural Rules: The 40 MM single launcher will be used for official law enforcement purposes and shall only be used in compliance with Glendora Police Department policy 300 and applicable laws.

### 706.4.3 3 40 MM MULTI LAUNCHER

40 MM launchers are utilized by Department personnel as a less lethal tool to launch impact rounds.

- A. Description, quantity, capabilities, and purchase cost:
  - 1. Description: 40 MM launchers are used by department members as a less lethal tool to launch direct impact munitions as well as chemical munitions. The 40 MM multi launcher launcher's model number is PGL65-40.
  - 2. Quantity: One (1)
  - 3. Capabilities: The 40 MM multi launcher is a pump-action magazine drum launcher with a six-shot capacity with a rifled barrel.
  - 4. Cost: The Penn Arms 40 MM multi launcher was purchased circa 2008 at a cost of approximately \$3500.
- B. Purpose: The Penn Arms 40 MM multi launcher is used to launch less lethal impact munitions as a use of force option. It is also designed to launch chemical munitions as a use of force option.
- C. Authorized Use: Only officers who have completed an approved training are permitted to deploy this equipment.
- D. Expected Life Span: 25 years.
- E. Fiscal Impact: Annual maintenance is estimated to be less than \$50.
- F. Training: All officers who deploy the 40 MM multi launcher shall complete a two-hour course of training, to include a written test and practical application provided by members of the S.W.A.T. team. Recertification takes place annually.
- G. Legal and Procedural Rules: The 40 MM multi launcher will be used for official law enforcement purposes and shall only be used in compliance with Glendora Police Department Policy 300 and applicable laws.

### 706.4.4 4 40 MM MUNITIONS

- A. Descriptions, quantities, capabilities, purchase costs, and purposes:

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1. Description: Defense Technology 40 MM eXact iMpact Sponge Round.
  2. Quantity:22
  3. Capabilities: The 40 MM eXact iMpact round is intended to be a direct fired munition fired with a minimum safe range of five feet and a maximum effective range of 131 feet, with a velocity of 345 feet per second.
  4. Cost:\$28.65 each
  5. Purpose: The Defense Technology eXact iMpact round is intended to be used as an extended range impact weapon.
  6. Description:40 MM CS (Chlorobenzylidenemalononitrile) Ferret round
  7. Quantity:10
  8. Capabilities: The 40 MM ferret round is intended to allow for the deployment of powder CS within an effective range of 54 yards. This is a non-burning round, suitable for indoor use. It is designed to penetrate barriers such as windows, hollow core doors, wallboards, and thin plywood. Upon impacting the barrier, the nose cone ruptures and delivers 2.3 grams of CS.
  9. Cost: \$27.85 each
  10. Purpose: The 40 MM CS Ferret is intended to dislodge barricaded individuals. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
  11. Description: 40 Mm Spede-Heat Short Range CS (Cholorbenzylidenemalononitrile)
  12. Quantity: 5
  13. Capabilities: The 40 MM short range, Spede-Heat is intended to allow for the deployment of CS in an outdoor environment by the use of a 40 MM single or 40 MM multi-launcher. It delivers 25.2 grams of CS and has fire producing capability.
  14. Cost: \$22.10 each
  15. Purpose: The 40 MM Spede-Heat Short Range CS round is primarily used as a crowd control management tool by law enforcement and corrections and allows for the rapid deployment of chemical agents using a 40 MM launcher.
- B. Authorized Use: Only officers who have completed an approved training are permitted to deploy these munitions
- C. Expected Life Span:Until used, though not longer than five years from the date of manufacturer
- D. Fiscal Impact:None
- E. Training:All officers who use 40 MM munitions shall complete a two-hour course of training, to include a written test and practical application provided by members of the S.W.A.T. team.Recertification will take place annually.

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- F. Legal and Procedural Rules: 40 MM munitions will be used for official law enforcement purposes and shall only be used in compliance with Glendora Police Policy 300 and applicable laws.

### 706.4.5 CHEMICAL AGENT CANNISTERS

- A. Descriptions, quantities, capabilities, purchase costs, and purposes:
  - 1. Description: Defense Technology Spede-Heat Pyrotechnic Cannister CS (Chlorobenzylidenemalononitrile)
  - 2. Quantity: 10
  - 3. Capabilities: The Spede-Heat cannister is a continuous discharge pyrotechnic chemical agent grenade that contains 81.2 grams of CS and has a discharge time between 20-40 seconds.
  - 4. Cost: \$33.00 each
  - 5. Purpose: The Spede-Heat cannister is designed primarily for crowd control purposes and, when not used with a shielding device, such as a "Burn Safe," it is intended for outdoor use.
  - 6. Description: Defense Technology Pocket Tactical CS (Chlorobenzylidenemalononitrile) Cannister
  - 7. Quantity: 3
  - 8. Capabilities: The Pocket Tactical cannister is a continuous discharge pyrotechnic chemical agent grenade that contains 25.2 grams of CS and has a discharge time between 20-40 seconds.
  - 9. Cost: \$28.00 each
  - 10. Purpose: The Pocket Tactical cannister is designed for use by a tactical team for distraction, concealment, rescue, or signaling. The Pocket Tactical can be used in conjunction with smoke cannisters to "piggyback" chemical agent into a predominately smoke environment. Unless used in conjunction with a shielding agent, such as a "Burn Safe" the Pocket Tactical is designed for outdoor use.
- B. Authorized Use: Only officers who have completed an approved training are permitted to deploy this equipment.
- C. Expected Life Span: Until used, though not longer than five years from the date of manufacture.
- D. Fiscal Impact: None
- E. All officers who use chemical agent cannisters shall complete a two-hour course of training, to include a written test and practical application provided by members of the S.W.A.T. team. Recertification will take place annually.

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- F. Legal and Procedural Rules: Chemical agent cannisters will be used for official law enforcement purposes and shall only be used in compliance with Glendora Police Department Policy 300 and applicable laws.

### 706.4.6 DISTRACTION DEVICES

- A. Descriptions, quantities, capabilities, purchase costs, purposes, and expected life spans:

1. Description: Defense Technology Low Roll Distraction Device- Reloadable Body and Charge. A distraction device is used to distract a dangerous suspect during high-risk situations, including, but not limited to hostage rescues, search warrant service or other high-risk activities where the risk can be mitigated by the use of a distraction device. The distraction device is composed of a reloadable body and a charge. The body can be used a maximum of 25 times, the charge is a single-use item.
2. Quantity: 15
3. Capabilities: The Defense Technology Low Roll Distraction Device is a multi-use, reloadable, non-bursting, non-fragmenting device that provides a brilliant light and loud sound and is used to distract, or momentarily disorient potentially dangerous suspects.
4. Cost: \$100 each
5. Purpose: The Defense Technology Low Roll Distraction Device is used to distract a dangerous suspect during high-risk situations, including but not limited to, hostage rescues, the service of a high-risk search warrant or other high-risk activities where it is necessary to distract/disorient and individual.
6. Expected Life Span: The reloadable body can be used 25 times before it is discarded. Lifespan depends on frequency of use.
7. Description: Defense Technology Low Roll Distraction Device 12 Gram Reload. The reload for this device is designed to be inserted into the distraction device body and is a single-use item.
8. Quantity: 24
9. Capabilities: The Defense Technology Low Roll Distraction Device 12 Gram Reload is designed to be used in conjunction with the Low Roll Distraction Device Body and will produce a brilliant light and loud sound and is used to distract, or momentarily disorient potentially dangerous suspects.
10. Cost: \$36.75 each
11. Purpose: The Defense Technology Low Roll Distraction Device 12 Gram Reload is used to distract a dangerous suspect during high-risk situations, including but not limited to, hostage rescues, the service of a high-risk search warrant or other high-risk activities where it is necessary to distract/disorient an individual.

- B. Expected Life Span: This is a single use item.

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- C. Authorized Use: Only officers who have completed an approved training are permitted to deploy this equipment.
- D. Fiscal Impact: None
- E. Training: All officers who use these distraction devices shall complete a 2-hour course of training, to include a written test and practical application provided by members of the S.W.A.T. team. Recertification will take place annually.
- F. Legal and Procedural Rules: These distraction devices will be used for official law enforcement purposes and shall only be used in compliance with Glendora Police Department Policy 300 and applicable laws.

### 706.4.7 RIFLES

- A. Description, Quantity, Capabilities, and Purchase Cost:
  - 1. Description: Colt M4.223 caliber carbine, capable of automatic and semi-automatic fire, or semi-automatic only. Firearm that is fired from the shoulder, having a long spiral grooved barrel to make projectiles spin, thereby being more accurate over a greater distance.
  - 2. Quantity: 49
  - 3. Capabilities: To provide precision fire to a threat at greater accuracy and greater distances than that of a handgun.
  - 4. Cost: \$750
  - 5. Description: Speer Gold Dot LE.223 caliber 55 grain soft tip ammunition. Ammunition specifically designed to be used with the Colt M4.223 caliber rifle.
  - 6. Quantity: 15,000 rounds
  - 7. Cost: \$155 for 200 rounds
- B. Purpose: The purpose of the Colt M4 carbine is to provide accurate shot placement against a threat over a long distance. It is also for use against individuals who are wearing ballistic body armor.
- C. Authorized Use: Only officers who have completed an approved training are permitted to deploy this equipment.
- D. Expected Life Span: 10-15 years, depending on severity of use.
- E. Fiscal Impact: Annual maintenance cost is estimated at \$50 per rifle.
- F. Training: All officers who deploy the Colt M4 carbine will attend and pass a POST certified training course, taught by a POST certified rifle instructor. The training includes a written and a practical application test. In addition, members who operate the rifle must qualify annually.
- G. Legal and Procedural Rules: The Colt M4.223 caliber carbine shall only be used for official law enforcement purposes and shall only be used in compliance with Glendora Police Department Policy 300 and applicable laws. The deployment of the rifle shall also be in compliance with Glendora Police Department Policy 416.6.



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#### 706.4.8 MOBILE COMMAND POST VEHICLE

- A. Description, quantity, capabilities, and purchase cost:
  - 1. Description: Freightliner Chassis (custom built) vehicle.
  - 2. Quantity: One (1)
  - 3. Capabilities: The Mobile Command Post can be utilized for Foothills Special Enforcement Team (F.S.E.T.) operations and other critical incidents, preplanned large events, DUI checkpoints, natural disasters, and community events.
  - 4. Purchase cost: Approximately \$150,000, funded by an Office of Traffic Safety (O.T.S.) grant.
- B. Purpose: To be used based on the specific circumstances of a given F.S.E.T. operation, critical incident, large event, DUI checkpoint, natural disaster, or community event that is taking place.
- C. Authorized Use: The Mobile Command Post shall be used by officers trained in its use
- D. Expected Lifespan: Twenty-year lifespan on chassis and vehicle structure. Upgrades as needed to ensure updated and properly maintained IT systems.
- E. Fiscal Impact: Annual maintenance is approximately \$5,000
- F. Training: The driver/operator shall receive training in the safe handling of the vehicle. A class C driver license is required to drive the vehicle. Driver/operators will also receive training in the proper set-up and break down of the Mobile Command Post when deployed for events and operations.
- G. Legal and Procedural Rules: The Mobile Command Post vehicle shall only be used for official law enforcement purposes. The driver/operator shall be in compliance with Glendora Police Department Policy 704.

#### 706.4.9 ARMORED PERSONNEL CARRIER

- A. Description, quantity, capabilities, and purchase cost:
  - 1. Description: Peacekeeper, built on a 1973 Dodge chassis.
  - 2. Quantity: One (1)
  - 3. Capabilities: Designed to provide ballistic protection (to withstand multiple bullet strikes from small arms fire as well as low level explosions).
  - 4. Cost: Obtained through the Law Enforcement Support Program (LESO, formerly the 1033 Program) in 1999.
- B. Purpose: To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, or for display at a community event.
- C. Authorized Use: The use of armored vehicles shall only be authorized by a Watch Commander based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in its use.
- D. Expected Lifespan: Twenty-five (25) years.

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- E. Fiscal Impact: Annual maintenance is estimated between \$0 and \$1000.
- F. Training: The driver/operator shall receive training in the safe handling of the vehicle. A class C driver license is required to drive the vehicle.
- G. Legal and Procedural Rules: The Peacekeeper shall only be used for official law enforcement purposes. The driver/operator shall be in compliance with Glendora Police Department Policy 704.

### **706.5 APPROVAL**

The Chief of Police or the authorized designee shall obtain approval from the City Council 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 City Council 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 City Council prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

### **706.6 COMPLIANCE**

Department members are bound to adhere to this policy, in addition to state and local laws and ordinances when employing the use of military equipment at any time. Violations of the law or this policy may result in criminal or administrative investigations and/or actions.

Members of the public may register complaints or submit questions or concerns about the use of each type of military equipment in this policy by any of the following means:

1. Via email through the City of Glendora website ([cityofglendora.org](http://cityofglendora.org)). Under DEPARTMENTS, select "Contact Glendora Police."
2. Via telephone to: (626) 914-8250

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3. Via mail to: Glendora Police Department, Attn: Military Equipment Use Coordinator, 150 S Glendora Ave, Glendora, CA 91741

The Glendora Police Department is committed to responding to complaints, concerns, and questions received through any of the above methods in a timely manner.

### **706.7 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of this Department shall be approved for use and in accordance with this 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 or in conducting their law enforcement activities.

### **706.8 ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

### **706.9 COMMUNITY ENGAGEMENT**

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