

Military Equipment

709.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

709.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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709.2 POLICY

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

709.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of La Habra Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

709.4 MILITARY EQUIPMENT INVENTORY

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

[See attachment: La Habra Military Equipment A.pdf](#)

709.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

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

709.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

709.7 ANNUAL REPORT

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

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

709.8 COMMUNITY ENGAGEMENT

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

Attachments

La Habra Military Equipment A.pdf

1. Unmanned Aerial Vehicles

a. **Description, quantity, capabilities, and purchase cost:**

Qty. (2), DJI Mavic 2 Enterprise Advanced features a high-resolution 640 thermal camera and a 48MP visual camera with a 1/2" CMOS sensor. Professionals and public safety operators are able to make informed decisions by quickly identifying objects on site. This UAS is the ideal tool for users in law enforcement, firefighting, search and rescue, inspection and beyond. The UAS is a battery powered, remote operated device. Controller: Smart All-in-one controller with 7- inch integrated screen. Controller allows operators to control UAV and view live feed from UAS-mounted cameras. Flight time of approximately 25-30 minutes per battery, depending on weather and flight conditions.

Qty. (1), DJI Mavic 2 Enterprise. This UAS is the same as described above other than it has a single camera cable of 32X zoom used primarily for daytime operations.

Qty. (6), DJI Mavic Mini. This UAS is used for training and light operation work. It has a single 1080P HD camera and is used for interior building searches and outdoor operations; such as searching building tops or other similar deployments. It has a flight time of approximate 20-30 minutes depending on conditions.

b. **Purpose:**

To be deployed when it would assist officers or incident commanders with the following situations, which include, but are not limited to: major collision investigations, search for missing persons, natural disaster management, crime scene photography, SWAT, tactical or other public safety and life preservation missions, in response to specific requests from local, state or federal fire authorities for fire response and/or prevention.

c. **Authorized Use:**

Only assigned operators who have completed the required training shall be permitted to operate the UAS during approved missions. All other applicable LHPD policies remain in effect.

d. **Expected Lifespan:**

Four (4) years of operational life.

e. **Fiscal Impact:**

Annual maintenance for all UAS approximately \$1,000.

2. Command and Control Vehicles

a. **Description, quantity, capabilities, and purchase cost:**

Qty. (1) 2014, Ford F550 – custom upfit by Braun Inc., cost: \$208,000 The North County SWAT vehicle is a command vehicle. The vehicle is not used in an enforcement capacity. It is used as an equipment storage and transportation vehicle for critical incidents, such as, but not limited to, hostage rescues, barricaded suspects, arrest of dangerous persons and service of high-risk warrants. Desk with radio for dispatch on the interior. Several storage areas for the different equipment used by North County SWAT. Manual breaching tools, ballistic shields, firearms, water, generator, ammunition, 40mm launcher and projectiles.

- b. **Purpose:**
To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.
- c. **Authorized Use:**
The North County SWAT vehicle shall be used by officers trained in their deployment and in a manner consistent with department policy and training. The driver of the vehicle shall have a valid California driver license. All other applicable LHPD policies remain in effect.
- d. **Expected Lifespan:**
Approximately 15 years
- e. **Fiscal Impact:**
Annual maintenance cost of approximately \$1,000.

3. Breaching Apparatus: Shotgun Breaching Rounds

- a. **Description, quantity, capabilities, and purchase cost:**
Qty. (100) Royal Arms Tesar-1 and Safariland, Total cost: \$500, Shotgun breaching rounds are specialty shotgun shells utilized for door breaching. The round is designed to defeat the locking mechanism, striking the lock throw in order to minimize time to entry into the target space for the safety of occupants and operators. Designed to breach heavy locks, dead-bolts and hinges mounted inside of solid wood or steel doors. These rounds are good until expended if stored properly. Shotgun breaching rounds are used to gain rapid access to a room or structure when an exigency law enforcement need exists
- b. **Purpose:**
To rapidly and safely enter into a structure.
- c. **Authorized Use:**
Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises. All other applicable LHPD policies remain in effect.
- d. **Expected Lifespan:**
Until expended.
- e. **Fiscal Impact:**
Individual unit price of approximately \$5 each.

4. Specialized Firearms and Ammunition

- a. **Description, quantity, capabilities, and purchase cost:**

Qty. (10) Daniel Defense Mk18 AR-15/M4, Total Cost: \$10,000, The carbine rifle is a firearm, capable of accurately stopping an armed subject at various distances. The Carbine Rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon, designed for semi-automatic & selective fire. The carbine rifle does not have an expiration and will need to be serviced or replaced when the rifle fails or breaks. The .223 / 5.56 cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects.

Qty. (58), Colt AR-15, Total Cost, \$45,000, The carbine rifle is a firearm, capable

of accurately stopping an armed subject at various distances. The Carbine Rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon, designed for semi-automatic & selective fire. The carbine rifle does not have an expiration and will need to be serviced or replaced when the rifle fails or breaks. The .223 / 5.56 cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects.

Qty. (2) Remington 700, cost: \$1,000, The Bolt Action Rifle is a firearm, capable of accurately stopping an armed subject at various distances. It is a bolt action, magazine fed, shoulder fired rifle, designed for bolt action use. This rifle is equipped with a telescopic scope for long range accuracy. The rifle does not have an expiration and will need to be serviced or replaced when the rifle fails or breaks. The .308 cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects.

Qty. (2) Heckler and Koch MP5, cost: \$3,000. The submachine gun is a firearm, capable of accurately stopping an armed subject at various distances. The submachine gun is a lightweight, air-cooled, gas operated, magazine fed, shoulder-fired weapon, designed for semi-automatic & selective fire. The submachine gun does not have an expiration and will need to be serviced or replaced when the submachine gun fails or breaks. The 9mm cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects.

Qty. (10,000), Federal .223 Duty Round, Total cost \$4,000, The .223 duty round is the primary ammunition deployed within the carbine rifle platform during potentially lethal encounters.

Qty. (5,000), Federal 9mm Duty Round, Total cost \$1,500, The 9mm duty round is the primary ammunition deployed within the submachine gun platform and handgun platforms during potentially lethal encounters.

Qty. (4,000), Federal, .45 Auto Duty Round, Total cost \$1,500, The .45 Auto duty round is the primary ammunition deployed within the .45 Auto handgun platform during potentially lethal encounters.

Qty. (1,000), .308 WinMag, Total cost \$1000. The .308 WinMag duty round is the primary ammunition deployed within the bolt action rifle platform during potentially lethal encounters.

b. Purpose:

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c. Authorized Use:

Only members that are POST certified are authorized to use a firearm within the scope of their duties. All other applicable LHPD policies remain in effect.

d. Expected Lifespan:

Carbine Rifle – No expiration
Bolt Action Rifle – No expiration
Submachine Gun – No Expiration
.223 Duty Round – No Expiration
9mm Duty Round – No Expiration

- .45 Auto Duty Round – No Expiration
- .308 WinMag Duty Round – No Expiration

e. **Fiscal Impact:**

- Carbine Rifle – Annual cost between \$0 and \$20,000
- Bolt Action Rifle – Annual cost between \$0 and \$6,000
- Submachine Gun – Annual cost between \$0 and \$6,000
- .223 Duty Round – Annual cost between \$0 and \$4,000
- 9mm Duty Round – Annual cost between \$0 and \$1,500
- .45 Auto Duty Round – Annual cost between \$0 and \$1,500
- .308 WinMag Duty Round – Annual cost between \$0 and 1,000

5. Flashbangs

a. **Description, quantity, capabilities, and purchase cost:**

A Noise Flash Diversionsary Devices (NFDD) is a device that creates a bright flash and loud sound to temporarily divert the attention of subjects in the immediate area. NFDD are used to distract and temporarily incapacitate dangerous suspects by overwhelming their senses of vision and hearing. The distraction allows officers to seize a moment of opportunity to take control of high-risk situations.

Qty. (20), Defense Technology Low Roll Reloadable Flashbang emits a loud “bang” and a flash of light. Total cost \$1,000.

b. **Purpose:**

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:**

Diversionsary Devices shall only be used by SWAT Officers who have been trained in their proper use, in hostage and barricaded subject situations, in high risk warrant (search/arrest) services where there may be extreme hazards to officers. During other high-risk situations where their use would enhance officer safety, and during training exercises. All other applicable LHPD policies remain in effect.

d. **Expected Lifespan:**

5 years

e. **Fiscal Impact:**

Annual cost between \$0 - \$1,000

6. Tear Gas

a. **Description, quantity, capabilities, and purchase cost:**

Chemical agent munitions, which are commonly referred to as “tear gas,” are used as a non-lethal tool to de-escalate volatile situations. Chemical agents which are used by law enforcement across the United States: CS (Chlorobenzylidenemalononitrile) and OC (Oleoresin Capsicum) CS is an irritating agent and lachrymator (irritates the eyes and causes tears to flow). CS has been medically tested in the UK and US, specifically by the U.S. Army. There are no known allergic reactions to CS. OC was de-regulated in California in 1996, is endorsed by the FBI, and is available to

civilians to legally possess (2.5oz or less). OC is an inflammatory agent which causes involuntary closure of eyes (open in 2-5 minutes) and respiratory inflammation (subsides in approximately 2 minutes).

Qty. (10), Total cost \$500, Defense Technology Triple Chamber CS.

Qty. (10), Total cost \$200, Defense Technology Pocket Tactical CS.

Qty. (10), Total cost \$300, Defense Technology Spede Heat CS.

Qty. (10), Total cost \$300, Defense Technology Flameless Tri Chamber CS

Qty. (50), Total cost, \$1,000 Defense Technology 40mm Ferret CS (Liquid/Powder).

Qty. (10), Total cost, \$200, Defense Technology Muzzle Blast OC.

Qty. (1), Total cost \$40, Defense Technology Han Ball CS.

Qty. (50), Total cost \$1,000, Defense Technology 40MM Direct Impact OC,

b. Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to, self-destructive, dangerous and/or combative individuals, circumstances where a tactical advantage can be obtained, potentially vicious animals, and training exercises or approved demonstrations.

c. Authorized Use:

Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents. All other applicable LHPD policies remain in effect.

d. Expected Lifespan:

Defense Technology Triple Chamber CS – 5 years

Defense Technology Pocket Tactical CS – 5 years

Defense Technology Spede Heat CS – 5 years

Defense Technology Flameless Tri Chamber CS – 5 years

Defense Technology 40mm Ferret CS (Liquid/Powder) – 5 years

Defense Technology Muzzle Blast OC – 5 years

Defense Technology 40MM Direct Impact OC – 5 Years

e. Fiscal Impact:

Defense Technology Triple Chamber CS – Annual cost \$0 to \$500

Defense Technology Pocket Tactical CS – Annual cost \$0 to \$200

Defense Technology Spede Heat CS – Annual cost \$0 to \$300

Defense Technology Flameless Tri Chamber CS – Annual cost \$0 to \$300

Defense Technology 40mm Ferret CS (Liquid/Powder) – Annual cost \$0 to \$1000

Defense Technology Muzzle Blast OC – Annual cost \$0 to \$200

Defense Technology 40MM Direct Impact OC – Annual cost \$0 to

\$1,000

Defense Technology Han Ball CS – Annual cost \$0 to \$180

7. PepperBall Launcher

a. **Description, quantity, capabilities, and purchase cost:**

Qty. (2), Total cost, \$7,500, System that uses high pressure air to deliver PAVA powder projectiles (similar to a paint ball delivery system). System capable of launching projectiles at a subject up to 60'. System capable of area saturation up to 160'. Non-lethal option to offer law enforcement officers to deliver chemical agents and kinetic energy impacts to subjects in a potentially violent encounter. De-Escalation tool used to avoid further injuries or lethal options on a subject.

b. **Purpose:**

To limit the escalation of conflict where employment of lethal force is prohibited or unwarranted. Situations for use of the less lethal weapon systems may include, but not limited to, self-destructive, dangerous and/or combative individuals, circumstances where a tactical advantage can be obtained, potentially vicious animals, and training exercises.

c. **Authorized Use:**

Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers. All other applicable LHPD policies remain in effect.

d. **Expected Lifespan:**

PepperBall Launcher – No Expiration
PepperBall Munitions – 1 year

e. **Fiscal Impact:**

PepperBall Launcher – Annual operational cost approximately \$1,000.
PepperBall Munition – Estimated between \$0 to \$2,000 annually

8. Projectile Launch platforms and associated munitions

a. **Description, quantity, capabilities, and purchase cost:**

Qty. (1), Total cost \$2,000, Combined Tactical Solutions 40mm Multi Launcher is not a firearm, but a Less-Lethal systems that uses smokeless powder to deliver 40MM projectiles from a safe distance. The Less-Lethal launcher is capable of launching 40MM munitions at a subject up to 25 yards. The Less-Lethal launcher is a multi-launcher, allowing for up to six consecutive shots. Less-Lethal launcher does not have an expiration and will need to be serviced or replaced when the launcher fails or breaks. The 40MM munition is a Direct Impact Spin Stabilized Smokeless Sponge Munition. The Sponge Baton munition is used as a Less-Lethal weapon designed to de-escalate a potentially violent encounter.

Qty. (12), Total cost \$700, Defense Technology Single Shot 40mm Launcher is not a firearm, but a Less-Lethal systems that uses smokeless powder to deliver 40MM projectiles from a safe distance. The Less-Lethal launcher is capable of launching 40MM munitions at a subject up to 25 yards. The Less-Lethal launcher is a single launcher, which allows for one shot prior to needing to reload the device. Less-Lethal launcher does not have an expiration and will need to be serviced or replaced when the launcher fails or breaks. The 40MM munition is a Direct Impact Spin Stabilized Smokeless Sponge Munition. The Sponge Baton munition is used as a Less-Lethal weapon designed to de-escalate a potentially

violent encounter.

Qty. (3), Remington 870, Total Cost \$1,500, Less Lethal Shotgun is a standard pump action shotgun designated for the deployment of less lethal munitions.

Qty. (1) Benelli, cost \$1,000, Super 90 Less Lethal Shotgun is a standard semi-automatic shotgun designated for the deployment of less lethal munitions.

Qty. (60), Total Cost \$1,200, DefTec Exact Impact 40mm Round.

Qty. (20), Total Cost \$400, DefTec Exact Impact Extended Range 40mm Foam Round.

Qty. (50), Total Cost \$1,000, DefTec Direct Impact 40mm Marking Round.

Qty. (7), Total Cost \$170, CTS/DefTec Foam Baton 40mm Round.

Qty. (5), Total Cost \$100, CTS Rubber Foam Multi Projectile 40mm Round.

Qty. (5), Total Cost \$100, CTS 40mm Sting Ball Round.

Qty. (20), CTS Super Sock 12-gauge LL Round.

Qty. (30), Total Cost \$150, Safari Land Drag Stabilized 12-gauge Bean Bag LL Round

Qty. (100), Total Cost \$100, DefTec 12-gauge Bean Bag LL Round.

b. Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or unwarranted.

c. Authorized Use:

Situations for use of the less lethal weapon systems may include, but are not limited to, self-destructive, dangerous and/or combative individual, circumstances where a tactical advantage can be obtained, and potentially vicious animals.

d. Expected Lifespan:

40mm Launcher/Multi Launcher No expiration
Remington 870/Benelli Super 90 No Expiration
40mm rounds (Various) 5 years
LL 12-gauge projectiles (Various) 5 years

e. Fiscal Impact:

40mm Launcher/Multi Launcher \$0 to \$2,000 annually
Remington 870/Benelli Super 90 \$0 to \$1,000 annually
40mm rounds (Various) \$0 to \$1,500 annually
LL 12-gauge projectiles (Various) \$0 to \$500 annually

9. Ballistic Vests and Riot Helmets

a. Description, quantity, capabilities, and purchase cost:

Qty. (150), Total cost, \$150,000, various brands, patrol soft armor ballistic vests comprised of Kelvar, designed to help absorb the impact and reduce or stop penetration to the torso from firearm fired projectiles and fragmentation

from explosions.

Qty. (150), Total cost, \$120,000, various brands, patrol ballistic helmets comprised of Kelvar, designed to help absorb the impact and reduce or stop penetration to the torso from firearm fired projectiles and fragmentation from explosions.

Qty. (80), Total cost \$160,000 Patrol Ballistic plate armor, various brands, identified as level 4 ballistic armor, offering the highest level of ballistic protection to be used during calls for service whereby standard armor protections would not suffice.

Qty. (10), Total cost \$20,000, SWAT Operator ballistic vest, Tyr Tactical, identified as level 4 ballistic armor, offering the highest level of ballistic protection to members of the SWAT Team during the performance of SWAT related calls for service.

Qty. (10), Total cost \$20,000, SWAT Operator ballistic helmet, Tyr Tactical, identified as level 4 ballistic armor, offering the highest level of ballistic protection to members of the SWAT Team during the performance of SWAT related calls for service.

b. Purpose:

To provide protection to the critical areas of the body such as the head, chest and back area.

c. Authorized Use:

All personal may wear body armor and/or helmets while performing law enforcement field duties or during any other high-risk law enforcement activity.

d. Expected Lifespan:

Ballistic Vests – 5 years
Ballistic Helmets – 5 years

e. Fiscal Impact:

Patrol Ballistic Vests - \$0 to \$20,000 annually.
Patrol Ballistic Helmets - \$0 to \$5,000 annually
Patrol Ballistic Plate Armor - \$0 to \$5,000 annually
SWAT Ballistic Vests - \$0 – 20,000 annually
SWAT Ballistic Helmets - \$0 - \$ 20,000 annually