

# Military Equipment Use Policy

## 707.1 PURPOSE AND SCOPE

The purpose of this policy ("Policy") is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment pursuant to Assembly Bill 481 ("AB 481") (California Government Code § 7070, et seq.)

### 707.1.1 DEFINITIONS

Definitions related to this Policy include ((those provided in Government Code section 7070, and as follows:

**Governing body** – The City of Colton City Council ("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 section 30510 and Penal Code section 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 the City Council to require additional oversight.

# City of Colton Police Department

Colton PD Policy Manual

## *Military Equipment Use Policy*

---

### **707.2 POLICY**

It is the Policy of the City of Colton Police Department that members of this department comply with the provisions of AB 481 with respect to the funding, acquisition and use of military equipment.

### **707.3 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 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 City of Colton Police Department.
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  1. Publicizing the details of the meeting; and.
  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.
- (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.

### **707.4 MILITARY EQUIPMENT INVENTORY**

The list of qualifying military equipment for the Department is attached to this Policy:

See attachment: [COLTON POLICE MILITARY EQUIPMENT INVENTORY.pdf](#)

### **707.5 APPROVAL**

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

- (a) Requesting military equipment made available pursuant to 10 USC § 2576(a).

# City of Colton Police Department

Colton PD Policy Manual

## *Military Equipment Use Policy*

---

- (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 City Council.
- (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.

### **707.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of this Department shall be approved for the use and in accordance with this Department Policy. Military equipment used by other jurisdictions that are providing mutual aid to the City of Colton, or otherwise engaged in law enforcement operations in this City, shall comply with their respective military equipment use policies in rendering mutual aid or carrying out a law enforcement function related to a criminal matter under their investigation.

### **707.7 ANNUAL REPORT**

Upon approval of this Policy, the Chief of Police or the authorized designee should submit a military equipment report to the City Council 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.

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 section 7072 for the preceding calendar year for each type of military equipment in department inventory.

### **707.8 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

# COLTON POLICE MILITARY EQUIPMENT INVENTORY.pdf

## COLTON POLICE MILITARY EQUIPMENT INVENTORY (Attachment)

**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:

Autel Evo 2. Cost: \$12,000 each. quantity 1.

Skydio, cost \$1,200 each, quantity 2.

b. Purpose

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

Only assigned operators who have completed the required training shall be permitted to operate the UAS during approved missions.

d. Expected Life Span

10 years for all equipment.

e. Fiscal Impact

One-time purchase.

f. Training

Each operator must attend a 40-hour Department training and ongoing quarterly training.

g. Legal and Procedural Rules

The Department will utilize UAS for official law enforcement purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

**Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes

a. Description, quantity, capabilities, and purchase cost

LENCO BEARCAT, cost: \$100,000.00, quantity: 1. The Lenco Bearcat, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down 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

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

The use of armored vehicles shall only be authorized by a supervisor, based on the specific circumstances of a given critical incident.

d. Lifespan

25 years.

e. Fiscal Impact

One-time purchase with general maintenance fees.

f. Training

Armored vehicle uses and training takes place during annual trainings provided by the department. All sworn personnel are trained in the tactics and capabilities of the armored vehicles.

g. Legal and Procedural Rules

It is the policy of the Department to utilize armored vehicles for official law enforcement purposes, and pursuant to State and Federal law.

**Long Range Acoustic Device (LRAD) Long Range Acoustical Device: (LRAD)** is a high-intensity directional acoustical array for long-range, crystal-clear hailing, notification, and an unmistakable warning tone. The LRAD is primarily used as a communication device.

a. Description, quantity, capabilities, and purchase cost

LRAD 1000x Mag (received on a grant) Self-contained, portable, and featuring an extended voice broadcast range out to 600 meters, the LRAD ensures voice messages are clearly heard and understood. Obtained by the Department on a military equipment grant program. LRAD is shared by Inland Valley SWAT agencies.

b. Purpose

To be used to issue dispersal orders during crowd and riot control situations or to address the public in the event of civil emergencies, natural disasters, evacuations, and police incidents (e.g., missing persons, perimeters for wanted suspects/ K9 deployments, etc.). The LRAD may also be used to issue a warning tone.

c. Authorized Use

The LRAD shall only be used by officers trained in its deployment

d. Lifespan

No life expectancy

e. Fiscal Impact

None

f. Training

All operators receive training prior to operating any of the LRAD's in the field.

g. Legal and Procedural Rules

It is the policy of the department to utilize the LRAD for official law enforcement purposes, and pursuant to State and Federal law.



**40 MM Launchers and Rounds:** 40MM LMT Launchers are utilized by department personnel as a less lethal tool to launch impact rounds.

a. Description, quantity, capabilities, and purchase cost

DEFENSE TECHNOLOGY, 40MM LMT SINGLE SHOT LAUNCHER, cost: \$1000, quantity 7. The 40MM Single Launcher is a tactical single shot launcher.

DEFENSE TECHNOLOGY. 40MM Multi-Launcher, cost \$2,700, quantity 3. The 40MM Single Launcher is a tactical multi shot launcher.

DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$18, quantity: Colton PD 64. A less lethal 40mm lightweight plastic and foam projectile fired from a single 40mm launcher with a rifled barrel. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance.

DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT MARKING, #6326, cost: \$18, quantity: Colton PD 10. A less lethal 40mm lightweight plastic and foam projectile fired from a single 40mm launcher with a rifled barrel. The 40mm Direct Impact Marking Round provides accurate and effective performance when fired from the approved distance.

DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE LE EXTENDED RANGE, #6325LE, cost: \$18, quantity: Colton PD 35. A less lethal 40mm lightweight plastic and foam projectile fired from a single 40mm launcher with a rifled barrel. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance.

b. Purpose

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

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

1. Self-destructive, dangerous and/or combative individuals.
2. Riot/crowd control and civil unrest incidents.
3. Circumstances where a tactical advantage can be obtained.
4. Potentially vicious animals.
5. Training exercises or approved demonstrations.

d. Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by POST certified less lethal and chemical agent instructors

e. Lifespan

25 years.

f. Fiscal Impact

No annual fiscal impact.

g. Legal and Procedural Rules

It is the policy of the Colton 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.

**Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed

a. Description, quantity, capabilities, and purchase cost

Various Quantities of Chemical agent munitions, which are commonly referred to as "tear gas," are used by the Colton Police Department and Inland Valley SWAT team as a non-lethal tool to disperse rioting suspects and on barricaded suspects per Colton Police Department Policy and applicable law. The Colton Police Department uses chemical agents which are used by law enforcement across the United States: CS (2 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 (2.5 oz. 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).

**Colton Police Inventory**

Defense Technology Flameless Tri-Chamber CS - 5  
Defense Technology Han-Ball CS - 9  
Defense Technology Aerosol OC Vapor - 5  
Defense Technology 40mm Muzzle Blast OC - 10  
Defense Technology Han-Ball Saf-Smoke - 5  
Defense Technology Mark IX OC Fogger 13.4 oz – 6  
Pepper Ball FTC Launcher, .68 caliber, quantity 1  
Pepper Ball Live-X .68 caliber projectile, quantity 90

**Inland Valley SWAT Inventory**

Defense Technology 40 mm Liquid Ferret - 83  
Defense Technology Pocket Tactical CS -15  
Defense Technology Pocket Tactical Smoke - 11

CTS 5230 Baffle CS - 12  
Defense Technology Smoke - 6  
Aerosol/OC Vapor - 5  
Defense Technology OC Stinger Handball - 2  
Defense Technology Triple Chaser Smoke - 3  
Defense Technology CS Stinger Handball - 2  
Defense Technology Flameless Tri-Chamber CS - 4  
Defense Technology Spede Heat CS - 9  
Defense Technology Riot Control CS - 2  
Defense Technology Triple Chaser CS - 2  
Defense Technology Spede Heat CS 40 mm - 14

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:

- i. Self-destructive, dangerous and or combative individuals
- ii. Riot/crowd control and civil unrest incidents
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals
- v. Training exercises or approved demonstrations.

c. Authorized Use

Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents.

d. Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

e. Lifespan

5 years from manufacturing dates

f. Fiscal Impact

No annual cost.

g. Legal and Procedural Rules

It is the policy of the Department and Inland Valley SWAT to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal Law, including Fontana Police Use of Force policy.

**Less Lethal Shotgun:** Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round.

a. Description, quantity, capabilities, and purchase cost

REMINGTON LESS LETHAL SHOTGUN, cost: \$700, quantity: 25. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.

12-GAUGE SUPER-SOCK BEANBAG ROUND DRAG STABILIZED, cost: \$5, quantity: 225. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270 feet per second (FPS). Defense Technologies Super-Sock #3027 rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than twenty (20) feet. Effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.

b. Purpose

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

c. Authorized Use

1. Self-destructive, dangerous and/or combative individuals.
2. Riot/crowd control and civil unrest incidents.
3. Circumstances where a tactical advantage can be obtained.
4. Potentially vicious animals.
5. Training exercises or approved demonstrations.

d. Lifespan

Five years.

e. Fiscal Impact

None

f. Training

All officers are trained in the 12-gauge less lethal shotgun as a less lethal option by in-service training.

h. Legal and Procedural Rules

It is the policy of the Colton Police Department to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**Distraction Devices:** A distract device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

a. Description, quantity, capabilities, and purchase cost

Defense Technology, 8933 Low Roll Distraction Device, cost: \$50, quantity: 50. Shared equipment for Inland Valley SWAT. A non-bursting, non-fragmenting, limited rolling device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations

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

Diversionary Devices shall only be used:

- By 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 or there is no response from suspects from announcements
- During other high-risk situations where their use would enhance officer safety.
- During training exercises.

d. Lifespan

Until used.

e. Fiscal Impact

No annual maintenance.

f. Training

Prior to use, officers must attend diversionary device training that is conducted by Post certified instructors. SWAT team members consistently train on the use of distraction devices.

g. Legal and Procedural Rules

It is the policy of the Colton Police Department and Inland Valley SWAT to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Rifles:** Guns that are fired from shoulder level, thereby have greater accuracy over a long distance.

a. Description, quantity, capabilities, and purchase cost

Colt LE 6920-5.56mm Patrol/Training, quantity 42, cost \$1,000 each.

Colt LE 6933-5.56mm, Patrol, quantity 17, cost \$1,000 each.

Colt M16A1-5.56mm, Honor Guard/Station, quantity 12, No Cost 1033 Program

Bushmaster XM 15-E2S-5.56mm, Training, quantity 1, Cost \$800 each.

Eagle Arms AR-15 5.56mm, Training, quantity 1, \$800 each.

Geissele SD-556, 5.56mm, SWAT, quantity 10, \$1,000 each.

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 have successfully completed department rifle training are authorized to use a rifle. (Policy 307.3.3)

d. Lifespan

No expiration

e. Fiscal Impact

None.

f. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.

g. Legal and Procedural Rules

Use is established under policy 307 of the Colton Police Department. It is the policy of the Colton Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Mobile Command Center:** A vehicle used mobile office that provides shelter, access to Department computer systems, dispatch equipment, and restroom facilities during extended events.

a. Description, quantity, capabilities, and purchase cost

Workhorse Chassis (custom Built) vehicle, cost: \$260,000, quantity 1.

b. Purpose

To be used during critical incidents, special/community events, natural disasters, SWAT, and investigations.

c. Authorized Use

Department personnel trained in the deployment and operations of the Mobile Command Center.

d. Lifespan

20 years.

e. Fiscal Impact

One time purchase with general maintenance fees.

f. Training

Drivers/operators receive basic training in driving and deploying the Mobile Command Center and related systems.

g. Legal and Procedural Rules

It is the policy of the Department to utilize Mobile Command Centers for official law enforcement purposes, and pursuant to State and Federal law.