

ESCONDIDO POLICE DEPARTMENT INSTRUCTION	DATE: 05-01-22	NO: 1.55 ADMINISTRATION
TO: ALL PERSONNEL	SUBJECT: MILITARY EQUIPMENT USE POLICY	
ORIGIN: CHIEF OF POLICE	RETAIN: UNTIL FURTHER NOTICE	

I. PURPOSE

This policy establishes guidelines for the acquisition, funding, use and reporting of “military equipment,” as the term is defined in Government Code section 7070. This policy is provided to fulfill the obligations set forth in Assembly Bill No. 481 (“AB 481”). These obligations include but are not limited to seeking approval on specific items deemed to be military equipment and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items.

II. OVERVIEW

The Escondido Police Department utilizes military equipment in its mission to protect the community through exceptional police service. This equipment is acquired with careful consideration and intention. Military equipment is acquired and authorized when there is no reasonable alternative that can achieve officer and civilian safety. AB 481 provides important public information and input regarding how military equipment is funded, acquired, and used.

III. POLICY

It is the policy of the Escondido Police Department that there are legally enforceable safeguards, including transparency, oversight, and accountability measures in place to protect the public’s welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

IV. DEFINITIONS

A. California Government Code section 7070 defines “Military Equipment” as:

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 the City Council 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.

B. California Government Code section 7070 states "military equipment use policy" means a publicly released, written document governing the use of military equipment by a law enforcement 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.

V. GENERAL

A. In accordance with California Government Code section 7071, the Department shall obtain approval of the City Council annually, by ordinance, at a regularly scheduled meeting, prior to engaging in any of the following activities:

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: grant funds; 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 another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the City Council.

5. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council pursuant to general order.

6. 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.

7. Acquiring military equipment through any means not provided in California Government Code section 7071.

B. In seeking the approval of the City Council, the Escondido Police Department shall submit a proposed military equipment use policy, or subsequent amendments, to the City Council and the public via the Escondido Police Department's website at least 30 days prior to any public hearing concerning the military equipment at issue.

VI. MILITARY EQUIPMENT USE CONSIDERATIONS

1. To obtain approval from the City Council a military use policy must demonstrate that the equipment is:

a. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

b. The policy will safeguard the public's welfare, safety, civil rights and civil liberties.

c. If purchasing the equipment, it must be reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

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

2. To facilitate public participation, a proposed or approved military use policy shall be publicly available on the Escondido Police Department website for as long as the military equipment is available for use.

3. The City Council shall annually review any ordinance adopted pursuant to state law addressing local use of military equipment including the funding, acquisition or use of military equipment.

4. The City Council 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 Ralph M. Brown Act.

5. Military equipment shall only be used by a Department employee after applicable training, including any course required by the Commission on Peace Officer Standards and Training or Department required training, has been completed.

VII. MILITARY EQUIPMENT REPORTING

A. The Department shall submit an annual military equipment report to the City Council that addresses each type of military equipment possessed by the Department.

1. The Department shall also make each annual military equipment report publicly available on its website for as long as the military equipment is available for use.

2. 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:

a. A summary of how the military equipment was used and the purpose of its use.

b. A summary of any complaints or concerns received concerning the military equipment.

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

d. 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.

e. The quantity possessed for each type of military equipment.

f. If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

3. Within 30 days of submitting and publicly releasing an annual military equipment report, the Department 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 Department's funding, acquisition, or use of military equipment.

B. The Department's initial annual report is attached as an Appendix.

VIII. CATALOGING OF MILITARY USE EQUIPMENT

All military use equipment kept and maintained by the Escondido Police Department shall be cataloged in a way which addresses each of the following requirements:

1. The manufacturer's description of the equipment.
2. The capabilities of the equipment.
3. The purposes and authorized uses for which the Department proposes to use the equipment.
4. The expected lifespan of the equipment.
5. The fiscal impact of the equipment, both initially and for on-going maintenance.
6. The quantity of the equipment, whether maintained or sought.

IX. COMPLIANCE

A. The use of military equipment is subject to individual Department Instructions, and is restricted for use only in certain instances and in some cases, only by certain units. It is incumbent upon incident commanders, supervisors, and individual officers to recognize the specific circumstances wherein military equipment should be employed to enhance the safety of the public and officers and to bring a critical incident to a safe resolution.

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

C. Administrative investigations concerning complaints related to military equipment will be conducted in accordance with Department Instruction 1.12 – Civilian Complaint Reception and Investigation Procedure. These investigations will be reviewed by the Chief of Police to ensure that compliance with this military equipment procedure is maintained.

D. Any corrective action or discipline imposed as a result of a violation of this Department policy will be administered in accordance with Department Instruction 1.12, relevant labor agreements, City Personnel Rules, and state law.

E. The Chief of Police is responsible for the use of military equipment. He is directly supervised by the City Manager who has independent oversight authority. The City Council appoints the City Manager who holds office at and during the pleasure of the council. The City Attorney also serves at the pleasure of the City Council and provides independent legal advice to the Chief of Police, the City Manager, and the City Council.

X. COMPLAINTS, INQUIRIES, QUESTIONS

A. In some instances, the application and use of military equipment can cause questions and/or concerns for members of the community. It is of vital importance that community members' questions regarding the application and use of military equipment are addressed. The Escondido Police Department is committed to full and fair investigations of citizen complaints. As such, the Department has sound internal procedures for thorough and impartial investigations of citizen complaints. Resolving complaints in a fair, impartial, and expeditious manner will ensure the consistent high level of integrity and efficiency maintained by the Department.

B. Complaints directly related to the application or use of military equipment shall be handled in accordance with Department Instruction 1.12 – Civilian Complaint Reception and Investigation Procedure.

1. Members of the public may make complaints in any form, including use of the department's online complaint form (<https://www.police.escondido.org/file-a-complaint.aspx>), in person, in writing, by email or by phone.

2. The Internal Affairs Unit will maintain statistical data concerning the number and types of complaints regarding military equipment.

C. The Escondido Police Department values open communication and transparency. Community questions and/or concerns regarding the application and use of specified military equipment should be addressed in the following manner:

1. Via the Department's website where the public can email specific military equipment related questions to the Department.

2. At pre-determined Community Engagement Meetings related to military equipment.

3. At City Council Meetings related to military equipment.

4. In all other circumstances, the public should be directed to the Department's military equipment use policy available on the Department's website.

XI. FUNDING

The Department shall seek City Council approval for military equipment funding, including, but not limited to: grant funds; private, local, state, or federal funds; in-kind donations; or other donations or transfers.

XII. USE OF MILITARY EQUIPMENT WHEN COLLABORATING WITH OUTSIDE AGENCIES

Military equipment used by any member of this jurisdiction 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 jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

1. Department members are required to adhere to the Department's military equipment use policy and all policies and procedures outlined within the Escondido Police Department Instructions, regardless of operational jurisdiction.

2. Should the Escondido Police Department request mutual aid from another law enforcement agency and military equipment is required during the course of the response, the following shall apply:

a. The Escondido Police Department shall remain in charge of the overall incident command.

b. The Incident Commander or designee shall brief the supervisor from the assisting agency and inform them of the mission, enforcement posture, and any pertinent information related to the incident.

c. The assisting agency will be expected to adhere to their respective policies and procedures, particularly those governing the use of military equipment.

d. If the Incident Commander or their designee is informed of or witnesses the utilization of military equipment by an assisting agency inconsistent with the guidelines set forth in this procedure, the Incident Commander may elect to cancel the request for mutual aid or re-assign the assisting agency to a different support mission.

Appendix

Escondido Police Department Annual Military Equipment Report

Calendar Year 2021

Assembly Bill 481 added three sections to the California Government Code statutes to address the use of “military equipment” by a local police force. Cal. Govt. Code section 7070 defines both “military equipment” and “military equipment use policy.” Cal. Govt. Code section 7071 provides the requirements for a military use policy and an annual review by the City Council. Cal. Govt. Code section 7072 requires an annual military equipment report. Each law addresses the subject from a slightly different perspective. This report seeks to address all the requirements required by AB 481. For example, although Cal. Govt. Code Section 7072 does not require an annual report until one year following approval of the military use policy, much of the information is also required by the other pertinent laws prior to use of any “military equipment.” Thus, in the interest of transparency, and in an effort to provide a baseline for next year, the Department will submit this annual report as an appendix to the proposed military equipment use policy. Since the requirements are new, the Department will describe the equipment use in general terms. The report is organized into sections that correspond to the Cal. Govt. Code section 7072 requirements.

I Summary of how the military equipment was used and the purpose of its use.

A. Items deemed to be “military equipment” by AB 481 are used as a component of overall best practices for Law Enforcement Agencies (LEAs) throughout the country. These tools have been tested in the field, and are used by LEAs to enhance community and officer safety. Loss of these items would jeopardize the safety and welfare of peace officers and make communities less safe. The term “military equipment,” as used in AB 481, in fact does not necessarily indicate equipment that has been used by the military. In fact, federal law requires that any equipment actually provided by the Department of Defense be demilitarized prior to transfer to a civilian law enforcement agency. The Department does have two vehicles previously owned by federal agencies, one from the Department of Defense and one from the Department of Homeland Security. But, for the most part, the equipment acquired by the City and now deemed to be “military equipment” under state law are commercially available products that are readily available to the general public or in some cases restricted for sale to a law enforcement agency.

B. The Escondido Police Department is committed to using the most up to date tools and equipment to safeguard the community. Equipment now defined as “military equipment” has been used by the Department and other law enforcement agencies across the country on a daily basis. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to a higher level of force including a lethal force encounter. To that end, the items at issue in this report, and accompanying military equipment use policy, also provide the Department’s peace officers with vital tools that facilitate compliance with the Department’s stringent use of force policy. For example, Escondido Police officers have faced gun fire from suspects for prolonged incidents which required the use of armored/ballistic vehicles to protect the officers and community. The protection with ballistic equipment allows for more time and opportunity to attempt to de-escalate situations and provide for safer tactics to resolve life threatening events in the safest way possible to both officers and community members.

C. All military equipment will be used in accordance with general and, when appropriate specific, Department Instructions. The Department Instruction on Use of Force provides overarching guidance and specific orders for all Department police officers including:

Law enforcement officers shall be guided by the principle of reverence for human life in all investigative, enforcement, and other contacts between officers and members of the public. When officers are called upon to detain or arrest a suspect who is uncooperative or actively resisting, may attempt to flee, poses a danger to others, or poses a danger to themselves, they should consider tactics and techniques that may persuade the suspect to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation safely. The highest priority of California law enforcement is safeguarding the life, dignity, and liberty of all persons, without prejudice to anyone. Every person has a right to be free from excessive use of force by officers acting under color of law.

Often, the acquisition and use of military equipment is designed to avoid the use of force and when authorized, to use the least amount of force necessary.

II. Summary of complaints or concerns received concerning the use of military equipment.

The Department has received no complaints or concerns related to the use of military equipment.

III. Results of internal audits, any information about violations of military equipment use policy, and any actions taken in response.

The Department has not conducted an internal audit regarding military equipment. However, in compiling this report the Department found no violations of the proposed military use policy. Further, the internal affairs unit did review their investigative files and found no violation of department policy that could be associated with the use of military equipment.

IV. 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.

Please see the responses provided in Exhibit 1 to this Appendix.

V. The quantity possessed for each type of military equipment.

The Escondido Police Department seeks approval for the continued use of the following military equipment. The Department has organized the responses into the categories listed in California Government Code section 7070.

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

A. Along with seeking authorization to use preexisting equipment, the Department will seek authorization to acquire, fund and use replacement consumable supplies which meet the statutory definition of "military equipment." In the attached Exhibit, you will find an authorized quantity displayed next to an on-hand quantity for each piece of military equipment. For consumable supplies, the authorized quantity is set at a level to allow efficient inventory management such as starting the replacement process before depleting the on-hand supplies and making bulk purchases of consumable items to achieve cost savings. As always, the Department will seek additional council approval for any new type of "military equipment" in accordance with Department Instruction 1.55 and City budgetary and procurement practices.

B. Similarly, the Department routinely replaces old or worn equipment. The Department will seek a broad advance authorization to replace old, broken, obsolete, worn or damaged equipment, one for one, so long as the replacement of military equipment provides similar uses, characteristics, and capabilities, and will not significantly change or impact the public's welfare, safety, civil rights, and civil liberties.

C. The Department typically achieves approximately two million dollars a year in grant funding. Most grant funding opportunities involve a competition for limited resources and the Department must be able to act quickly and nimbly to successfully win grants. The Department will seek a broad advance authorization to seek and apply for local, state or federal grant funding. The Department will continue the practice of notifying the City Council when the Department succeeds in obtaining grant funding through the budget adjustment process.

Exhibit 1

Escondido Military Equipment Pursuant to Cal. Govt. Code section 7070

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

A. Unmanned Aircraft System (UAS): The Department has several small unmanned aircraft, also known as drones, along with the associated equipment necessary to control it remotely. All of the City's drones are commercial products and available for sale to the general public.

1. Description, authorized/on hand ("Auth. – O/H") quantity, capabilities, and purchase cost

a. DJI MATRICE 300. [Auth. 2 – O/H 1.] Has HT20 zoom and thermal camera. UAS with 45-minute flight time, all weather; equipped with IR and zoom camera and laser range finder. Has photo and video recording capabilities. Cost: \$35,000.

b. DJI MATRICE 210. [Auth. 2 – O/H 1.] With Z30 zoom camera and XT2 thermal camera. UAS with 30-minute flight time, all weather; equipped with IR and zoom cameras. Has photo and video recording capabilities. Cost: \$35,000.

c. DJI MAVIC MINI. [Auth. 4 – O/H 2.] Miniature UAS weighing 49 grams, approximately 30-minute flight time. Has photo and video recording capability. Cost: \$400 each.

d. DJI PHANTOM 4 PRO. [Auth. 2 – O/H 1.] UAS with 30-minute flight time. Has photo and video recording capability. Cost: \$1,500.

e. DJI MAVIC 2 PRO ENTERPRISE. [Auth. 6 – O/H 4.] UAS with 30-minute flight time; equipped with strobe, loud speaker and searchlight accessories. Has photo and video recording capability. Cost: \$2,600 each.

f. DJI MAVIC PRO ZOOM. [Auth. 6 – O/H 4.] UAS with 30-minute flight time; equipped with 4X zoom capable camera. Has photo and video recording capability. Cost: \$2,100 each.

g. DJI MAVIC PRO. [Auth. 4 – O/H 2.] UAS with 25-minute flight time. Has photo and video recording capability. Cost: \$1,800 each.

2. Purpose

- a. Law enforcement investigations including major collisions.
- b. Search for missing persons.
- c. Natural disaster response and management.

d. SWAT, tactical or other public safety and life preservation missions.

3. Authorized Use

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

4. Expected Life Span

All UAS equipment, 3-5 years.

5. Fiscal Impact

a. Funding source: Escondido Police Department Operating Budget.

b. Annual maintenance and battery replacement cost: approximately \$12,000.

6. Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation.

7. Legal and Procedural Rules

Department Instruction 1.20 – Unmanned Aircraft Systems, provides detailed rules addressing the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

B. Lightweight robotic platform: Unmanned machine operating on the ground utilized to collect tactical information while minimizing risk of harm to police officers and community members.

1. Description, quantity, capabilities, and purchase cost

ROBOTEX AVATAR III. [Auth. 1 – O/H 1.] Manufacturer description: “The Avatar® III is a compact, lightweight robotic platform that is part of the RoboteX Avatar® Series. Designed from the ground up for portability, expandability, and ease-of-use, the Avatar® III serves as a useful tool for a variety of users. The Avatar® III can be customized with a variety of plug-and-play accessories. These accessories facilitate use of the robot in a variety of scenarios, including Tactical, CBRNE, EOD, K9, and personal security settings. There is no longer a need to send SWAT or tactical response teams into to a dangerous situation before you've had a chance to assess the situation. The AVATAR Tactical Robot from RoboteX is an affordable tactical robot that is easy to use and allows for quick and safe inspection of dangerous situations.” Cost: \$28,105.

2. Purpose

To be used to gain visual/audio data, deliver Emergency Negotiations Team phone, open doors, and visually clear buildings.

3. Authorized Use

Only authorized users under the direction of the Scene Commander are permitted to operate the robot. The Department's Avatar III has no weapons or offensive capability and is primarily used by the SWAT team for information gathering.

4. Expected Life Span

10 plus years.

5. Fiscal Impact

a. Funding source: Escondido Police Department Operating Budget.

b. Annual maintenance and battery replacement cost: approximately \$500.

6. Training

The AVATAR III is maintained by the SWAT team and designated operators receive in-house training on use. This training is conducted under the direction of SWAT supervisors.

7. Legal and Procedural Rules

There is not a specific department instruction outlining the use of the robot. Use of the robot will be in accordance with all department instructions and applicable laws. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

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

The Department uses two armored personnel carriers.

1. Description, quantity, capabilities, and purchase cost

a. Lenco Bearcat G2. [Auth. 1 – O/H 1.] Manufacturer description: “The Lenco Bearcat G2 is an armored vehicle that seats 10-12 personnel with an open floor plan that allows for rescue of downed persons. It can stop various projectiles, which

provides greater safety to the community members and officers beyond the protection level of shields and personal body armor.” Cost: \$242,586.

b. PEACE KEEPER. [Auth. 1 – O/H 1.] (Acquired from the San Diego County Sheriff). The Peace Keeper is a wheeled armored vehicle that seats 6-8 personnel with an open floor plan that allows for rescue of downed persons. It can stop various projectiles, which provides greater safety to the community members and officers beyond the protection level of shields and personal body armor. Cost: \$0.

2. 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.

3. Authorized Use

The authorized use of armored vehicles will be at the direction of the Watch Commander or SWAT Commander based on the specific circumstances of a given critical incident.

4. Expected Life Span

LENCO BEARCAT G2, 25 years.
PEACE KEEPER, 30 years.

5. Fiscal Impact

a. Funding source:

i. Bearcat was purchased with funds from California Emergency Management Agency.

ii. Peacekeeper was acquired through the 1033 Program.

b. Annual maintenance and fuel costs for both vehicles: approximately \$10,000.

6. Training

All driver/operators will attend formalized instruction and be trained in vehicle operations and practical driving instruction.

7. Legal and Procedural Rules

Department Instruction 1.15 – Emergency Vehicle Operation, provides additional rules addressing the employment of this category of equipment. The Department uses breaching equipment and consumables in accordance with the Department’s Tactical Operations Group

manuals. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

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.

The Department does not use any vehicles in this category.

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

The Department does not use any vehicles in this category.

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

A. The Department has one Mobile Incident Command Vehicle (MIC). Although defined as “military equipment” the Departments MIC has no military function. Rather it is a commercially available product modified to provide a mobile office and command post to enable police supervisors to safely, efficiently and effectively manage the law enforcement response to critical incidents, and events.

1. Description, quantity, capabilities, and purchase cost

Chevrolet Workhorse Class A Motorhome, 2007 model, converted to house dispatch consoles, work stations, and meeting space. [Auth. 1 – O/H 1.] Cost: \$322,114.

2. 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.

3. Authorized Use

The MIC shall be used by officers trained in their deployment and in a manner consistent with Department policy and training.

4. Expected Life Span

The MIC, 15-year lifespan on chassis and vehicle structure.

5. Fiscal Impact

a. Funding source: Escondido Police Department Operating Budget and Escondido Fire Department Homeland Security Grant Funds.

- b. Maintenance and fuel costs are approximately \$1,000.

6. Training

The driver/operator receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver.

7. Legal and Procedural Rules

The Department has no specific rules or limitations regarding the use of a converted motorhome. Use shall be in accordance with California State law regarding the operation of motor vehicles.

B. The Department uses one Emergency Negotiation Team (ENT) vehicle. The ENT vehicle facilitates all of the functions of emergency negotiations during a critical incident. The vehicle contains phone/work stations, a conference space, and houses ENT equipment. Though customized for a specific mission, the vehicle is a commercially available product and not a traditional piece of military equipment.

1. Description, quantity, capabilities, and purchase cost

Utilimaster Utilivan II, model year 2002, cab and chassis with an upgraded box that houses a work space and equipment. [Auth. 1 – O/H 1.] The vehicle was originally purchased for a different city department for \$90,633. It was re-purposed for ENT and the box retrofit cost was \$36,976.

2. Purpose

To be utilized for critical incident callouts.

3. Authorized Use

The ENT vehicle used by officers and staff who have been properly trained in the safe handling of the vehicle. The driver of the vehicle shall have a valid California driver license.

4. Expected Life Span

The ENT vehicle has a 30-year lifespan on a chassis and vehicle.

5. Fiscal Impact

- a. Funding source for the retrofit: Escondido Police Department Asset Forfeiture Funds.

- b. Maintenance and fuel costs: approximately \$600.

i. Escondido Police Department Operating Budget.

6. Training

Operators will receive practical training on driving the vehicle.

7. Legal and Procedural Rules

The Department has no specific rules or limitations regarding the use of a converted van. Use shall be in accordance with California State law regarding the operation of motor vehicles.

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

The Department does not use any vehicles in this category.

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.

The Department Special Weapons and Tactics unit uses a variety of breaching equipment and consumables that are commonly used by similar specialize units throughout the law enforcement community. Breaching equipment and supplies are not generally available for public sale.

1. Description, quantity, capabilities, and purchase cost

a. **DETONATING CORD.** [Auth. 1000 ft. – O/H 500 ft.]
Manufacturer description: “The detonating cord is a thin, flexible plastic tube usually filled with pentaerythritol tetranitrate (PETN, pentrite). With the PETN exploding at a rate of approximately 6400 m/s, any common length of detonation cord appears to explode instantaneously. It is a high-speed fuse which explodes, rather than burns, and is suitable for detonating high explosives.” Cost: \$1 per foot.

b. **C 2 DETASHEET EXPLOSIVES.** [Auth. 40 ft. – O/H 20 ft.]
Manufacturer description: “DETASHEET® Flexible Explosive) is a waterproof PETN-based (63% nominal) flexible sheet explosive. It is manufactured as a continuous roll of varying lengths and thicknesses for a wide range of applications. It can be easily cut to any desired shape and applied with adhesive or incorporated into a charge holder. The flexible sheet can be applied as strips directly on the target or used to improvise linear shape charges.” Cost: \$20 per foot.

c. **BLASTING CAP.** [Auth. 60 – O/H 30.]
Manufacturer description: “A blasting cap is a small sensitive primary explosive device generally used to detonate a larger, more powerful and less sensitive secondary explosive such as TNT, dynamite, or plastic explosive. Blasting caps come in a variety of types, including non-electric caps, electric caps, and fuse caps.” Cost: \$12 each.

d. ROYAL REMINGTON 870 EXPRESS BREACHING SHOTGUN. [Auth. 4 – O/H 4.] Manufacturer description: “This weapon allows for breachers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round. 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 270-290 feet per second (FPS).” Cost: \$380 each.

e. ROYAL ARMS TESAR #1 ORANGE CAP 275 GRAIN COPPER FRANGILBE BREACHING ROUND. [Auth. 300 – O/H 150.] The round is fired from a breaching shotgun and is used to defeat solid wood doors, locks, and hinges. Cost: \$2.60 per round.

f. ROYAL ARMS TESAR #2 BLACK CAP 425 GRAIN COPPER FRANGILBE BREACHING ROUND. [Auth. 100 – O/H 50.] The round is fired from a breaching shotgun and is used to defeat heavy locks, dead-bolts, and hinges on solid oak or steel doors. Cost: \$2.90 per round.

g. ROYAL ARMS HP-Cutter PURPLE CAP 450 GRAIN HOLLOW POINT REBAR CUTTER ROUND. [Auth. 40 – O/H 20.] The round is fired from a breaching shotgun and is used to cut rebar, penetrates security glass, car doors, and punches into engine blocks. Cost: \$2.90 per round.

h. ROYAL ARMS FB-82H 82 PINK CAP 82 GRAIN FLASH BANG HARD. [Auth. 200 – O/H 100.] The round is fired from a breaching shotgun and is used as a diversionary device for disorientation or as a breaching round for solid wood doors, light steel, sliders, or car windows. Cost: \$2.90 per round.

2. Purpose

To safely gain entry into a structure while minimizing the risk of harm to those inside the structure.

3. Authorized Use

Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.

4. Expected Life Span

Detonating cord – 10 years.
Blasting Caps – 10 years.
Breaching Shotgun – 25 years.
All Royal Arms breaching rounds – 5 years.

5. Fiscal Impact

- a. Funding source: Escondido Police Department Operating Budget.
- b. Annual consumable replacement costs: approximately \$500.

6. Training

All officers who use explosive breaching tools shall attend an 11-day Master Tactical Breacher course and must additionally receive quarterly training for explosive operations. All officers utilizing breaching shotgun rounds will receive department approved training from a Master Tactical Breacher.

7. Legal and Procedural Rules

Department Instructions 1.24 and 1.46 provide detailed rules addressing the use of force and the employment of this category of equipment. The Department uses breaching equipment and consumables in accordance with the Department's Tactical Operations Group manuals. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

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

The Department does not use any equipment in this category.

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

The Department does not use any equipment in this category.

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.

The Department uses rifles and ammunition at extended ranges to safely and accurately engage targets when authorized to do so. Most of the weapons are commercially available to the public, although weapons and ammunition may be restricted. The Department does not use or possess automatic weapons.

1. Description, quantity, capabilities, and purchase cost

- a. SIONICS Patrol Three SBR 5.56mm Rifle. [Auth. 25 – O/H 20.]

The Patrol Three rifle is a semi-automatic shoulder-fired long gun that fires a .223/5.56mm

projectile. This rifle is a variant of the AR-15 style of rifle and is utilized by SWAT officers. Cost: \$2,160 each.

b. Colt M4 Trooper 5.56 16” Rifle. [Auth. 170 – O/H 157.] Manufacturer description: “The Colt Trooper® Patrol Carbine is a modernized, pro-quality semi-automatic Modern Sporting Rifle based on Colt's legendary M4 platform.” These rifles are utilized by officers outside of the SWAT unit. Cost: \$1,049 each.

c. SCIONICS Patrol Three SBR 5.56mm Rifle. [Auth. 170 – O/H 0.] The Patrol Three rifle is a semi-automatic shoulder-fired long gun that fires a .223/5.56mm projectile. This rifle is a variant of the AR-15 style of rifle that are in the process of being purchased to replace the Colt M4 Trooper rifles that are nearing end of life. Cost: \$1,522 each.

d. Colt Commando M4 5.56mm Rifle. [Auth. 4 – O/H 4.] The M4 Commando is a compact rifle of US origin. Whereas the original Colt Commando was based on the M16A1, the M4 Commando is based on the improved and NATO compliant M16A2. Just like its predecessor it fills a gap between pistol caliber sub machine guns and carbines and rifles that have a longer effective range. Cost: \$1,400 each.

e. Seekins Precision, Inc. SP10 18” Rifle (308 Winchester). [Auth. 4 – O/H 4.] The SP10 is a semi-auto 308 caliber precision rifle utilized by SWAT Snipers. The SP10's proprietary design of the upper receiver and handguard provides a rigid, no-flex platform for repeatable, extreme accuracy under any condition. The SP10 lower receiver offers full ambidextrous controls allowing effective, efficient manipulation of the weapon from either side. The SP10 is the perfect large-frame AR platform for hunting, competition, or duty use. Cost: \$2,340.

f. ArmaLite AR-10 18” Barrel 308 Caliber Rifle. [Auth. 1 – O/H 1.] The AR-10 is a semi-auto 308 caliber rifle that is utilized primarily by SWAT. Cost: \$0, acquired from the United States Department of Justice at no cost.

g. ArmaLite/Eagle Arms AR-10 20” Barrel 308 Caliber Rifle. [Auth. 1 – O/H 1.] The AR-10 is a semi-auto 308 caliber rifle that is utilized primarily by SWAT. Cost: \$ 0, acquired from the United States Department of Justice at no cost.

h. Winchester 5.56mm 64GR Bonded Solid Base Rifle Round. [Auth. 30,000 – O/H 16,000.] Manufacturer description: “The Winchester Ranger 5.56mm 64gr Bonded Solid Base rifle duty ammunition has a protected soft point designed to initiate rapid and controlled expansion to quickly stop a potential threat. Its bonded lead core maximizes retained weight for consistent terminal performance through a wide range of demanding barriers. The extruded solid base design maximizes penetration even after encountering a tough barrier such as auto glass. For law enforcement and military personnel only.” The duty round that it utilized in SIONICS and Colt rifles. Cost: \$820 per 1,000 rounds.

i. Winchester 5.56mm 55GR FMJ Rifle Round. [Auth. 75,000 – O/H 40,000.] Manufacturer description: “Backed by generations of legendary excellence, Winchester "USA White Box" stands for consistent performance and outstanding value, offering high-quality

ammunition to suit a wide range of hunter's and shooter's needs." The training round that is utilized in the SIONICS and Colt rifles. Cost: \$380 per 1,000 rounds.

j. Hornady 308 Win 168GR A-MAX TAP Rifle Round. [Auth. 16,000 – O/H 8,000.] Manufacturer description: "The 168 gr. A-MAX® bullet is a traditional match grade bullet with the performance advantages of a polymer tip. This bullet demonstrates an increase in penetration and retained weight over the 155 gr. A-MAX® bullet. Standard barrier performance is exemplary and this load demonstrates controlled and impressive soft tissue expansion without over penetration. The Hornady® 168 gr. A-MAX® TAP Precision® offers industry leading all-around performance for law enforcement precision marksmen providing the ability to stop a threat." The duty round for open air applications for the Seekins Precision SP10. Cost: \$950 per 1,000 rounds.

k. Hornady 308 Win 165GR GMX TAP Barrier Rifle Round. [Auth. 4,000 – O/H 2,000.] Manufacturer description: "TAP® Heavy Barrier™ turns cover into concealment. The 165 gr. GMX® TAP® Heavy Barrier™ is constructed of a monolithic copper alloy. It shoots cleaner than pure copper, fouls less and delivers devastating terminal performance. The GMX® bullet penetrates heavy barriers such as 1" laminated glass with exceptional weight retention while still delivering superior terminal performance." The duty round for shooting through barriers, such as glass, utilized in the Seekins Precision SP10. Cost: \$850 per 1,000 rounds.

l. Ruag 308 Win 164GR Tactical Armor Piercing Rifle Round. [Auth. 1,000 – O/H 500.] Manufacturer description: "To be prepared for every scenario, snipers require a round with high penetration power on hard targets such as reinforced glass, body- and light vehicle armor. Because the core stays intact during penetration, it transfers extremely effective residual energy to hard targets. The bullet jacket provides best accuracy, protects the barrel and is stripped off upon impact." The duty round for shooting through hardened barriers utilized in the Seekins Precision SP10. Cost: \$800 per 300 rounds.

m. Hornady 308 Win 110GR TAP Urban Rifle Round. [Auth. 20,000 – O/H 8,000.] Manufacturer description: "This cartridge provides the police marksman a unique bullet that demonstrates rapid expansion, fragmentation and low retained weight. The 110 gr. TAP Urban® bullet offers the least penetration in ballistic gelatin and lower felt recoil as compared to heavier TAP® loads. The 110-gr. bullet demonstrates similar penetration to the 223 Rem 75 gr. BTHP bullet, but with substantially more temporary and permanent cavity and fragmentation, proving itself an excellent choice for high collateral risk environments." The duty round for the ArmaLite AR-10. Cost: \$950 per 1,000 rounds.

n. Federal 308 Win 150GR FMJ Boat Tail Rifle Round. [Auth. 4,000 – O/H 2,000.] Manufacturer description: "Invest in deep penetration with Federal American Eagle Rifle Ammunition .223 55 GR FMJ 20 Box. Feed your rifle quickly. Give your rifle nothing short of perfect cycling with a noncorrosive finish and the top ammo you can find from a reliable ammo company. What has kept many loyalists buying this rifle ammunition besides the familiar feel and performance is the company's wide range of bullets with unique features designed for use in

different conditions and for different shooters.” One of the training rounds for the ArmaLite AR-10. Cost: \$710 per 1,000 rounds.

o. Winchester 308 Win 147GR FMJ Rifle Round. [Auth. 4,000 – O/H 2,000.] Manufacturer description: “This Winchester USA centerfire rifle ammo is the ideal choice for training or extended sessions at the range and provides several features such as no expansion, positive functioning, good accuracy, and no barrel leading.” One of the training rounds for the ArmaLite AR-10. Cost: \$760 per 1,000 rounds.

2. Purpose

To be used as precision weapons to address a threat with more accuracy and/or greater distances than a handgun, if present and feasible, while minimizing risk to officers and the community.

3. Authorized Use

Only members that have completed the EPD rifle training program are authorized to use a rifle. SWAT operators attend additional rifle training courses and are authorized to use a rifle.

4. Expected Life Span

Various manufacturers. Various calibers, models, and types. Lifespan varies on usage and wear.

5. Fiscal Impact

a. Funding sources: Escondido Police Department Operating Budget, Asset Forfeiture Funds and the U.S. Department of Justice.

b. Annual consumable replacement costs: approximately \$50 per rifle.

6. Training

Officers must attend a two-day in-house rifle training program before they are issued a rifle. They must then qualify with the rifle three times annually. SWAT operators attend additional training courses and train twice per month.

7. Legal and Procedural Rules

Department Instructions 1.2B – Equipment and Weapons, and 1.5 – Use of Firearms, provide detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

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

The Department does not use any equipment in this category.

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

A. The Department uses a variety of distraction devices, otherwise known as "flashbangs," to produce intense noise and light in order to temporarily disorient dangerous suspects during high risk arrests/warrant services and hostage rescues.

1. Description, quantity, capabilities, and purchase cost

a. Defense Technology Low Roll 12-gram Reloadable Distraction Device. [Auth. 250 – O/H 95.] Manufacturer description: "The Distraction Device Reload utilizes a standard military-style M201A1 type fuze and produces 175 dB of sound output at 5 feet and 6-8 million candelas for 10 milliseconds." Cost: \$36 each

b. Combined Systems Model 7290 9 Bang. [Auth. 15 – O/H 2.] Manufacturer description: "The patented multi-bangs feature top and bottom non-fragmenting, minimal movement devices that perform with high reliability incorporating CTS Superior fuze components with the patented and US Army adopted Confidence Clip and pin shroud." Cost: \$141 each.

c. Combined Systems Model 7290M Mini-Bang. [Auth. 50 – O/H 2.] Manufacturer description: "The CTS 7290M Mini Flash-Bang is the newest generation in the evolution of the Flash-Bang. Our Model 7290M Flash-Bang exhibits all of the same attributes of its larger counterpart but in a smaller and lighter package. Weighing in at just 15 ounces the new 7290M is approximately 30% lighter than the 7290 but still has the same 175db output of the 7290 and produces 6-8 million candela of light. The patented design of the 7290M, incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface. In addition, internal adjustments have greatly reduced smoke output." Cost: \$32 each.

2. 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.

3. Authorized Use

SWAT Operators and Mobile Field Force officers that have received authorized training shall use Diversionary Devices only under the following:

a. By officers who have been trained in their proper use.

- b. In hostage and barricaded subject situations.
- c. In high risk warrant (search/arrest) services where there may be extreme hazards to officers.
- d. During other high-risk situations where their use would enhance officer safety.
- e. During training exercises.

4. Expected Life Span

All distraction devices, 5 years.

5. Fiscal Impact

- a. Funding source: Escondido Police Department Operating Budget.
- b. Annual consumable replacement costs: approximately \$6,000.

6. Training

Prior to use, officers must attend divisionary device training that is conducted by POST certified instructors.

7. Legal and Procedural Rules

Department Instruction 1.46 – Use of Specialty Munitions, provides detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

B. The Department uses Chemical Agent and Smoke Canisters to disperse rioters and flush out armed suspects, to help minimize using higher levels of force that could impact officer and community safety. Although the manufactures label their devices as grenades, the equipment used by the Department are not explosive.

1. Description, quantity, capabilities, and purchase cost

a. DEFENSE TECHNOLOGY, SPEDE-HEAT CONTINUOUS DISCHARGE GRENADE, CS, #1072. [Auth. 50 – O/H 18.] Manufacturer description: “The Spede-Heat CS Grenade is a high volume, continuous burn it expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side and one on the bottom. This launchable grenade is 6.12 in. by 2.62 in. and holds approximately 2.9 oz. of active agent.” Cost: \$25 each.

b. DEFENSE TECHNOLOGY, POCKET TACTICAL GRENADE, CS #1016. [Auth. 50 – O/H 18.] Manufacturer description: “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 inches 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.” Cost: \$22 each.

c. DEFENSE TECHNOLOGY, FLAMELESS EXPULSION CS GRENADE, and #2042. [Auth. 25 – O/H 10.] Manufacturer description: “The CS Flameless Expulsion Grenade is a compact, non-pyrotechnic, chemical agent device that provides safe expulsion without risk of fire. It is safe to use inside of a residence. Unlike pyrotechnical grenades, this device’s contents are expelled upon actuation of a CO2 cartridge that will affect a confined area of approximately 1500 square feet. This grenade is 7.5 in. by 1.65 in. and delivers approximately .16 oz. of active agent during its 3-second discharge time.” Cost: \$48 each.

d. DEFENSE TECHNOLOGY, MAXIMUM HC SMOKE MILITARY-STYLE CANISTER, and #1073. [Auth. 25 – O/H 12.] Manufacturer description: “The Military-Style Maximum Smoke Grenade comes from the Defense Technology #3 smoke grenade. It is a slow burning, high volume, continuous discharge grenade designed for outdoor use in crowd management situations. Emits grey-white smoke only for approximately 1.5 to 2 minutes.” Cost: \$38 each.

e. DEFENSE TECHNOLOGY, POCKET TACTICAL GRENADE, SAF-SMOKE™, and #1017. [Auth. 10 – O/H 2.] Manufacturer description: “The Pocket Tactical Saf-Smoke™ Grenade is small, and lightweight. The Saf-Smoke™ will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches 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 it 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.” Cost: \$18 each.

f. DEFENSE TECHNOLOGY, STINGER 32 CALIBER RUBBER BALL GRENADE, #1090SC. [Auth. 20 – O/H 8.] Manufacturer description: “The Stinger® Rubber Ball Grenade with safety clip is a maximum effect device that delivers three stimuli for psychological and physiological effects: rubber pellets, light, and sound. The Stinger® Rubber Ball Grenade is most widely used as a crowd management tool by Law Enforcement and Corrections. The Stinger® Rubber Ball 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 in a 50-foot radius.” Cost: \$45 each.

g. DEFENSE TECHNOLOGY, HAN-BALL GRENADE CS, #1092. [Auth. 20 – O/H 10.] Manufacturer description: “The Han-Ball™ CS Grenade is an outdoor use grenade expelling its payload in approximately 15-20 seconds. The rubber ball round has an overall size of 4.8 in. tall, including the fuze head, and 3.1 in. diameter. This launchable grenade holds approximately 1.6 oz. of active agent which is expelled through three ports around the equator of

the ball. Due the intense heat generated by this grenade, it should not be used inside a building or near flammable material.” Cost: \$45 each.

h. COMBINED TACTICAL SYSTEMS, RIOT CS SMOKE, #5230. [Auth. 60 – O/H 30.] Manufacturer description: “Large diameter burning grenade that discharges a high volume of smoke and chemical agent through multiple emission ports. Specifically for outdoor use and should not be deployed on rooftops, in crawl spaces or indoors due to potential fire hazard. Can be hand thrown or launched. Discharge duration can reach up to 40 seconds.” Cost: \$37 each.

i. COMBINED TACTICAL SYSTEMS, RIOT CS SMOKE TRIPLE-PHASER, #5231. [Auth. 30 – O/H 15.] Manufacturer description: “CS Triple Phaser canister grenade is a large diameter grenade consisting of 3 separate aluminum canisters pressed together with separate charges between each canister. When deployed, the grenade will separate over a broad space to give a wider area of coverage. Can be launched or thrown.” Cost: \$37 each.

j. COMBINED TACTICAL SYSTEMS, WHITE SMOKE CANISTER GRENADE, #6210. [Auth. 10 – O/H 5.] Manufacturer description: “White outdoor smoke grenades are used for obscuring tactical movement and signaling or marking a landing zone.” Cost: \$37 each.

k. COMBINED TACTICAL SYSTEMS, BLUE SMOKE CANISTER GRENADE, #6210B. [Auth. 10 – O/H 5.] Manufacturer description: “Blue outdoor smoke grenades are used for obscuring tactical movement and signaling or marking a landing zone.” Cost: \$37 each.

l. COMBINED TACTICAL SYSTEMS, WHITE SMOKE TACTICAL CANISTER GRENADE, #8210. [Auth. 10 – O/H 3.] Manufacturer description: “Small diameter pyrotechnic irritant smoke grenade for outdoor use to disperse crowds. Emits smoke for up to 30 seconds and is small enough to carry in a pocket. Can be hand thrown or launched.” Cost: \$32 each.

m. COMBINED TACTICAL SYSTEMS, RED SMOKE TACTICAL CANISTER GRENADE, #8210R. [Auth. 10 – O/H 3.] Manufacturer description: “Small diameter pyrotechnic irritant smoke grenade for outdoor use to disperse crowds. Emits smoke for up to 30 seconds and is small enough to carry in a pocket. Can be hand thrown or launched.” Cost: \$32 each.

2. 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:

- a. Self-destructive, dangerous and/or combative individuals.

- b. May only be used in riots and civil unrest incidents in accordance with all applicable laws.
- c. Circumstances where a tactical advantage can be obtained.
- d. Potentially vicious animals.
- e. Training exercises or approved demonstrations.

3. Authorized Use

Only officers who have received training from POST certified instructors in the use of chemical agents are authorized to use chemical agents.

4. Expected Life Span

5 years from the manufacturing date.

5. Fiscal Impact

- a. Funding source: Escondido Police Department Operating Budget.
- b. Annual consumable replacement costs: approximately \$10,000.

6. Training

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

7. Legal and Procedural Rules

Department Instructions 1.6 – Use of Tear Agents and Equipment, and 1.46 – Use of Specialty Munitions, provide detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

C. Combined Systems LC5 40mm Launching Cup: Cups that attach to 12 gauge less lethal shotguns which allow officers to launch canisters of chemical agents or smoke.

1. Description, quantity, capabilities, and purchase cost

a. COMBINED SYSTEMS, LC5 40MM LAUNCHING CUP. [Auth. 4 – O/H 2.] Manufacturer description: “The LC5 Launching Cups are designed for the 5200 series grenades. The cups can be attached to virtually any 12ga shotgun and the munition launched with our model 2600 launching cartridge.” Cost: \$302 each.

b. COMBINED SYSTEMS, CS BAFFLED CANISTER GRENADE, PYRO, LOW FLAME POTENTIAL, #5230B. [Auth. 50 – O/H 20.] Manufacturer description: “Pyrotechnic grenade designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire.” Cost: \$37.

c. COMBINED SYSTEMS, 12GA LAUNCHING CARTRIDGE, #2600. [Auth. 50 – O/H 20.] The 12ga Launching cartridge is to be used with the 52 series launching cup. Cost: \$4 per round.

2. Purpose

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

3. Authorized Use

This equipment is authorized for use by SWAT officers who have received formal training by POST Certified Chemical Agents Instructors.

4. Expected Life Span

Combined Systems LC5 40MM Launching Cup- 25 years.

5. Fiscal Impact

- a. No Funding source: Escondido Police Department Operating Budget.
- b. No annual consumable replacement costs.

6. Training

Officers utilizing the launching cups are trained in their use by SWAT POST certified chemical agent instructors.

7. Legal and Procedural Rules

Department Instructions 1.6 – Use of Tear Agents and Equipment, and 1.46 – Use of Specialty Munitions, provide detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

D. PepperBall: A non-lethal munitions system that employs paint ball launchers to fire “pepper balls” that contain powdered OC in place of the paint. The pepper ball delivery system combines chemical agent exposure with kinetic energy impact to aid in its effectiveness in addressing armed and/or violent individuals or crowds. Pepper ball munitions also include glass breaking rounds and marking rounds.

1. Description, quantity, capabilities, and purchase cost

a. PepperBall SA200 Launcher. [Auth. 4 – O/H 4.] The PepperBall SA200 is the Tippmann Pro/Carbine launcher used widely in the paintball arena as a rental marker. It was sold by PepperBall from 1999 to 2006. The launcher features a horizontal forearm grip and breech opening similar to a shotgun. This is one of the most reliable air-powered launchers ever designed and with proper maintenance, should last law enforcement and military customers for decades to come. Tippmann stopped production of this launcher in 2006. Cost: \$140 each.

b. PepperBall Live Projectile (Red/White). [Auth. 5,000 – O/H 2,250.] Manufacturer description: “The basic PepperBall projectile, it contains 0.5% PAVA, and is excellent for direct impact and area saturation, especially in confined, interior spaces.” Cost: \$1,000 per 375 projectiles.

c. PepperBall Live SD Projectile (Red). [Auth. 5,000 – O/H 750.] Manufacturer description: “The live PepperBall round contains 2.0% PAVA. It is effective for direct impact and area saturation when there is no line of sight.” Cost: \$1,000 per 375 projectiles.

d. PepperBall Inert Projectile (Purple). [Auth. 5,000 – O/H 1,500.] Manufacturer description: “Containing a harmless, scented powder, this projectile is best suited for training, qualifications, and direct impact when chemical exposure is not desired.” Cost: \$355 per 1,500 projectiles.

e. 1 – PepperBall Marking Projectile. [Auth. 1,000 – O/H 250.] Manufacturer description: “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.” Cost: \$200 per 250 projectiles.

2. Purpose

Pepper ball launchers give officers the ability to address an armed and/or violent suspect(s) with a non-lethal munition that delivers both chemical agent and kinetic energy impact. This combination can be extremely effective in gaining compliance or reducing threat potential with an armed and/or violent suspect(s). Due to its design, pepper balls can be delivered from a larger standoff distance allowing for an added degree of officer safety. Its high round capability and accuracy allow for its use in a wide variety of operational environments.

3. Authorized Use

Pepper ball launchers and pepper ball munitions are to be used exclusively by the Mobile Field Force unit. The use of pepper ball munitions is only authorized under certain circumstances and is contingent on the approval of a MFF supervisor absent exigent circumstances.

4. Expected Life Span

PepperBall Launcher – No manufacturer life span indicated by manufacturer.
PepperBall Munitions – Approximately three (3) year shelf life.

5. Fiscal Impact

- a. Funding source: Escondido Police Department Operating Budget.
- b. Annual consumable replacement costs: approximately \$2,000.

6. Training

PepperBall Launchers are issued to grenadiers on the Mobile Field Force unit. The grenadiers attend a POST Chemical Agents and Less Than Lethal Instructor course. They train annually with the PepperBall system.

7. Legal and Procedural Rules

Department Instructions 1.6 – Use of Tear Agents and Equipment and 1.46 – Use of Specialty Munitions, provide detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

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

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.

1. Description, quantity, capabilities, and purchase cost

GENASYS LRAD 100X. [Auth. 2 – O/H 1.] Manufacturer description: “Self-contained, portable, and featuring an extended voice broadcast range out to 600 meters, the LRAD 100X ensures voice messages are clearly heard and understood. LRAD’s optimized driver, waveguide, and power efficiency technologies enable the LRAD 100X to provide several hours of clear, continuous communication from a single battery charge.” Cost: \$15,410.

a. 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.

b. Authorized Use

The LRAD shall only be used by officers trained in its deployment and used in a manner consistent with Department policy and training.

c. Expected Life Span

25 years.

d. Fiscal Impact

Budget

i. Funding source: Escondido Police Department Operating

ii. Annual consumable replacement costs: approximately \$100.

e. Training

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

f. Legal and Procedural Rules

Department Instruction 1.30 – Long Range Acoustical Device (LRAD), provides detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

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

40mm Launchers and Rounds: 40mm Launchers are utilized by department personnel as a less lethal tool to launch impact rounds or chemical agents.

1. Description, quantity, capabilities, and purchase cost

a. DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1425. [Auth. 170 – O/H 79.] Manufacturer description: "The 40mm Single Launcher is a tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40mm less lethal round up to 131 feet." Cost: \$905 each.

b. PENN ARMS, 40MM TACTICAL 6-SHOT LAUNCHER. [Auth. 4 – O/H 2.] Manufacturer description: “A 40mm pump-action advance magazine drum launcher. It has a six-shot capacity and rifled barrel.” Cost: \$3,275 each.

c. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325. [Auth. 2,500 – O/H 650.] Manufacturer description: “A less 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 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.” Cost: \$18 each.

d. DEFENSE TECHNOLOGY, EXACT IMPACT™ LE 40 MM EXTENDED RANGE SPONGE ROUND, #6325LE. [Auth. 50 – O/H 3.] Manufacturer description: “The eXact iMPact™ 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher’s rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for Crowd Control, Patrol, and Tactical Applications.” Cost: \$18 each.

e. DEFENSE TECHNOLOGY, DIRECT IMPACT® 40 MM OC CRUSHABLE FOAM ROUND, #6320. [Auth. 25 – O/H 7.] Manufacturer description: “The 40mm Direct Impact® munition is a point-of-aim, point-of-impact direct-fire round. An excellent solution whether you need to incapacitate a single subject or control a crowd. When loaded with OC powder, the Direct Impact combines blunt trauma with the effects of an irritant powder, maximizing the potential for incapacitation.” Cost: \$21 each.

f. DEFENSE TECHNOLOGY, DIRECT IMPACT® 40MM CS CRUSHABLE FOAM ROUND, #6322. [Auth. 50 – O/H 9.] Manufacturer description: “The 40mm Direct Impact® munition is a point-of-aim, point-of-impact direct-fire round. An excellent solution whether you need to incapacitate a single subject or control a crowd. When loaded with CS powder, the Direct Impact combines blunt trauma with the effects of an irritant powder, maximizing the potential for incapacitation.” Cost: \$21 each.

g. DEFENSE TECHNOLOGY, DIRECT IMPACT® 40MM MARKING CRUSHABLE FOAM ROUND, #6322. [Auth. 50 – O/H 12.] Manufacturer description: “The 40mm Direct Impact® munition is a point-of-aim, point-of-impact direct-fire round. An excellent solution whether you need to incapacitate a single subject or control a crowd. When loaded with a green marking agent, the Direct Impact can be used to indicate the aggressor in a crowd or riot situation to the team on the ground.” Cost: \$18 each.

h. DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE PENETRATOR ROUND, #2262. [Auth. 100 – O/H 50.] Manufacturer description: “A less 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 40mm Ferret 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.” Cost: \$23 each.

i. DEFENSE TECHNOLOGY, MUZZLE BLAST 4MM ROUND, OC, 6040. [Auth. 25 – O/H 10.] Manufacturer description: “The 40 mm Muzzle Blast OC Round is widely used as a crowd management tool for the immediate and close deployment of chemical agent. It can also be employed in tactical operations such as barricaded subjects for area denial, area contamination, and a means of contaminating crawl spaces and attics. As a pain compliance round it is an excellent device for deploying chemical-laden OC powder at close ranges for indoor or outdoor operations. It has a maximum effective range of 30 feet /9.1 meters.” Cost: \$20 each.

j. DEFENSE TECHNOLOGY, MUZZLE BLAST 4MM ROUND, CS, 6042. [Auth. 50 -O/H 30.] Manufacturer description: “The 40 mm Muzzle Blast CS Round is widely used as a crowd management tool for the immediate and close deployment. It can also be employed in tactical operations such as barricaded subjects, room clearing, area denial, and for small space contamination, and a means of contaminating crawl spaces and attics. As a pain compliance round it is an excellent device for deploying chemical-laden CS powder at close ranges for indoor or outdoor operations. The cloud of agent is very effective in filling holes in dispersals lines or engaging crowds at close distances.” Cost: \$20 each.

k. COMBINED TACTICAL SYSTEMS, 40MM CS MUZZLE BLAST, #4630. [Auth. 25 – O/H 5.] Manufacturer description: “A 40MM aluminum cartridge that launches a single projectile round emitting smoke or irritant agents via rapid burning. Used effectively during riots at safe stand-off distances to disperse groups or deny areas.” Cost: \$28 each.

l. COMBINED TACTICAL SYSTEMS, 40MM CS SMOKE, PYRO, 4.8” LONG, #4230. [Auth. 25 – O/H 5.] Manufacturer description: “A 40MM aluminum cartridge that launches a single projectile round emitting smoke or irritant agents via rapid burning. Used effectively during riots at safe stand-off distances to disperse groups or deny areas.” Cost: \$28 each.

m. COMBINED TACTICAL SYSTEMS, 40MM CS MULTI 3 SMOKE, 4.8” LONG, #4233. [Auth. 25 – O/H 14.] Manufacturer description: “This 40MM aluminum cartridge launches 3 sub-munitions that emit CS via rapid burning. The munition is used from a stand-off distance and it is effective to disperse unruly crowds or deny areas during riots and civil disorder.” Cost: \$28 each.

n. DEFENSE TECHNOLOGY, 40MM WARNING/SIGNALING MUNITION, 100 METER, #6029WS. [Auth. 25 – O/H 4.] Manufacturer description: “The 40mm Aerial Warning/Signaling Munition, 100 meters, is intended for use in situations where stand-off distance is desired, giving the operator the ability to engage crowds, vehicles, or vessels. Launched from a 40mm platform, the munitions deflagrate at a set distance of 100 meters to deliver

170 dB of sound and 5 million candelas of light, noticeable in day or night conditions. A tactile feature on the nose of the cone indicates the designated distance.” Cost: \$25 each.

o. DEFENSE TECHNOLOGY, 40MM WARNING/SIGNALING MUNITION WITH CS, 100 METERS WITH PAYLOAD, #6029CS. [Auth. 25 – O/H 5.] Manufacturer description: “The 40 mm Warning/Signaling Munition will produce 170 dB of sound and 5 million candelas of light. This munition has an operational range of 100 meters. Launched from a 40 mm platform, this munition gives the operator the ability to engage people, vehicles or vessels from a safe stand-off position.” Cost: \$28 each.

p. DEFENSE TECHNOLOGY, SKAT SHELL SAF-SMOKE, #6173. [Auth. 25 – O/H 5.] Manufacturer description: “The Skat Shell® 40 mm Saf-Smoke™ multiple chemical projectile round with four separate sub-munitions is designed to deliver multiple Saf-Smoke canisters from a 40 mm launcher. It is widely used as a crowd management tool for the rapid and broad deployment of a chemical agent by a single grenadier. The Skat Shell contains four separate sub-munitions that function individually. The small scattering effect and the rapid burning of the sub-munitions provide a wide area of coverage and has a maximum effective range of 80-100 yards.” Cost: \$20 each.

q. DEFENSE TECHNOLOGY, STINGER 32-CALIBER RUBBER BALLS ROUND, #6096. [Auth. 25 – O/H 10.] Manufacturer description: “The Stinger® 40 mm 32-Caliber Round is most widely used as a crowd management tool by Law Enforcement and Corrections. The round contains approximately 130 32-Caliber rubber balls. It utilizes smokeless powder as the propellant and has more consistent velocities and tighter patterns compared to its 37mm counterpart. It is suitable for administering a means of pain compliance over close to medium ranges of fire and for routing crowds or groups that are mildly resistive.” Cost: \$30 each.

r. COMBINED TACTICAL SYSTEMS, 40MM CS LIQUID BARRICADE, SPIN STABILIZED, 4.1” LONG, #4330. [Auth. 100 – O/H 24.] Manufacturer description: “Liquid CS filled projectile penetrates intermediate barriers and delivers irritant agents into an adjacent room.” Cost: \$28 each.

s. COMBINED TACTICAL SYSTEMS, 40MM MULTI 3 FOAM BATON, SMOKELESS, 4.8” LONG, #4551. [Auth. 25 – O/H 9.] Manufacturer description: “The Model 4551 Sponge Baton is a spin-stabilized projectile delivering blunt trauma effect. Although it is extremely accurate and consistent, accuracy 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. CAUTION: Shots to the head, neck, thorax, heart, or spine can result in fatal or serious injury.” Cost: \$28 each.

t. COMBINED TACTICAL SYSTEMS, 40MM .31 CAL STING-BALLS, SMOKELESS, 4.8” LONG, #4553. [Auth. 25 – O/H 9.] Manufacturer description: “The Model 4553 .31 Cal Sting-balls projectile delivering blunt trauma effect. Although it is extremely accurate and consistent, accuracy 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.” Cost: \$28 each.

u. COMBINED TACTICAL SYSTEMS, 40MM .60 CAL STING-BALLS, SMOKELESS, 4.8” LONG. [Auth. 25 – O/H 10.] Manufacturer description: “40MM crowd dispersal cartridge containing a payload of .60 caliber stinging pellets. To be fired below the belt-line at an approaching non-compliant individual or crowd.” Cost: \$28 each.

2. Purpose

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

3. Authorized Use

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

- a. Self-destructive, dangerous and/or combative individuals.
- b. May only be used in riot/crowd control and civil unrest incidents in accordance with all applicable laws.
- c. Circumstances where a tactical advantage can be obtained.
- d. Potentially vicious animals.
- e. Training exercises or approved demonstrations.

4. Expected Life Span

Defense Technology #1425 – 25 years.
Penn Arms Multi-Launcher – 25 years.
All munitions – 5 years.

5. Fiscal Impact

- a. Funding source: Escondido Police Department Operating Budget.
- b. Annual consumable replacement costs: approximately \$50,000.

6. Training

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

7. Legal and Procedural Rules

Department Instructions 1.6 – Use of Tear Agents and Equipment, and 1.46 – Use of Specialty Munitions, provide detailed rules addressing the use of force and the employment of this category of equipment. The Department makes policy and procedure documents available to the public at: <https://police.escondido.org/view-policy-and-procedure-documents.aspx>

15. Any other equipment as determined by a City Council or a state agency to require additional oversight.

The Department does not use any equipment in this category.

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