

Military Equipment

810.1 PURPOSE AND SCOPE

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

810.1.1 DEFINITIONS

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

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

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

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

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810.2 POLICY

This policy provides guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code §§ 7070 et seq.).

Members are required to comply with the provisions of this policy and law with respect to military equipment.

810.3 DEPARTMENT COORDINATOR

The Professional Standards Lieutenant will act as the Military Equipment Coordinator. The responsibilities include but are not limited to:

- Identifying military equipment that requires City Council approval.
- Conducting an inventory of all military equipment at least annually.
- Collaborating with any allied agency that may use military equipment within the City of Davis (Government Code § 7071).
- Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - o Publicizing the details of the meeting.
 - o Preparing for public questions regarding the funding, acquisition, and use of equipment.
 - o Preparing the annual military equipment report for submission to the Police Chief and ensuring that the report is made available on the Department's website (Government Code § 7072).

810.4 CITY COUNCIL APPROVAL

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

- Requesting military equipment made available pursuant to 10 USC § 2576a.
- 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.
- Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- Collaborating with another law enforcement agency in the deployment or other use of military equipment within Davis.
- Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.

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- 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.
- Acquiring military equipment through any means not provided above.

810.5 AGENCY COLLABORATION

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy. On occasion, the Department may be required to assist or be assisted by other law enforcement agencies in a formal Law Enforcement Mutual Aid Request (LEMA) or support with day to day operational collaboration (i.e. pursuits, investigative unit assistance, joint law enforcement operations, etc.). In certain mutual aid or operational collaboration circumstances, it may be necessary for Department members to use military equipment in order to fulfill an assigned mission (i.e. civil unrest, SWAT requests, barricaded suspects in a vehicle, etc.). When Department members use military equipment in instances of mutual aid or law enforcement collaboration, the following shall apply:

Department members are required to adhere to the Department's Military Equipment Policy and all other policies and procedures outlined within the Davis Police Department's Policy manual, regardless of operational jurisdiction.

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

- a. The Davis Police Department shall remain in charge of the overall incident command.
- b. The Incident Commander or their designee shall brief the supervisor from the assisting agency, as time allows, 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 use of military equipment by an assisting agency inconsistent with the guidelines set forth in this policy, the Incident Commander may elect to cancel the request for mutual aid or re-assign the assisting agency to a different support mission.

810.6 ANNUAL REPORT

The Department shall submit an annual military equipment report to City Council that addresses each type of military equipment possessed by the Department. The Department shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum,

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include the following information for the immediately preceding calendar year for each type of military equipment:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- 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.
- The quantity possessed for each type of military equipment.
- If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
- 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, funding, acquisition, or use of military equipment.

810.7 CATALOGING OF EQUIPMENT

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

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

810.8 COMPLIANCE

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, has been completed, unless exigent circumstances arise.

The Department recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of military equipment options can greatly assist Incident Commanders, Officers, and specific units in bringing those incidents to a swift resolution in a safe manner. The use of military equipment is restricted for use only in certain instances and in some cases only by certain units/teams. While this procedure is wide-ranging, it is not all-inclusive. There may be instances wherein exigent circumstances demand the need for Incident Commanders to authorize military equipment to be used in a manner not outlined within this policy. In scrutinizing those particular

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instances, the judgment of the Incident Commander influenced by the totality of the circumstances, public safety, officer safety, civil rights, and information available at the time will be used.

It is incumbent upon Incident Commanders, Supervisors, individual Officers, and specific units/teams to recognize the particular 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.

Department members are bound to adhere to Department Policy, in addition to State and local laws and ordinances when employing the use of military equipment at any time.

Professional Standards will ensure that Department members comply with this policy. The Office of the Police Chief will be notified of any policy violations and, if needed, the violation(s) will be referred for formal investigation and handled in accordance with the Internal Investigations Policy. All instances of non-compliance will be reported to City Council within 90 days of the incident and via the annual military equipment report.

Any member of the public can register a question or concern regarding military use equipment by contacting the Department at policeadmin@cityofdavis.org. A response to the question or concern shall be completed by the Department in a timely manner.

810.9 ANNUAL REPORTING

The Department shall submit an annual military equipment report to City Council that addresses each type of military equipment possessed by the Department. The Department shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- 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.
- The quantity possessed for each type of military equipment.
- If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
- 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, funding, acquisition, or use of military equipment.

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810.10 SUPPLY LEVELS

When stocks of already approved military equipment have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without city council approval to maintain essential availability for the Department's needs. The Department is authorized to acquire additional stock of items listed here from other law enforcement agencies of CalOES in the event of an emergency when approved by the Police Chief.

810.11 DAVIS CITY COUNCIL AUTHORIZED MILITARY EQUIPMENT FOR THE DAVIS POLICE DEPARTMENT

Police Department – Armored Rescue Vehicle - Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

Description, quantity, capabilities, and purchase cost

Ford Transit Van 350HD EcoBoost V6: \$137,750 quantity: 1. The armored vehicle seats 10-12 personnel with open floor plan that allows for rescue of down personnel. The Armored Rescue Vehicle (ARV) is a commercial Van converted by International Armored Group to be a ballistic Armored Rescue Vehicle that provides protection to those inside from most ballistic threats.

Purpose

To be used in response to critical incidents in order to enhance officer and community safety, and improve scene containment and stabilization. The ARV provides the ability to move or re-position officers and extract or evacuate civilians when faced with the risk of firearms. The ARV also provides officers a protected observation platform from which negotiations and other de-escalation attempts can be made.

Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

Lifespan

20 years.

Fiscal Impact

Annual maintenance cost of approximately \$10,000. No other substantial costs for use.

Training

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

Legal and Procedural Rules

Use is established under PP 2.63, ARV. It is the policy of the Department to use armored vehicles only for official law enforcement purposes, and pursuant to State and federal law.

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Police Department – Small Unmanned Aircraft Systems (UAS) - UAS are used by members to respond to a variety of public safety missions.

Description, quantity, capabilities, and purchase cost

DJI MAVIC 3 UAS, cost: \$17,244.00, quantity: 3. Small UAS with a 4K thermal camera, audible speaker, and light. Weighs approx. 1100 grams, approx. 31 minutes of flight time.

Description, quantity, capabilities, and purchase cost

DJI AVATA PRO VIEW, cost: \$6,940.00, quantity: 5. Small UAS with a 4K camera, optional audible speaker, and light. Weighs approx. 410 grams, approx. 20 minutes of flight time.

Description, quantity, capabilities, and purchase cost

DJI MINI PRO 3 UAS, cost: \$1,245.00, quantity: 5. Small UAS with a 4K camera, optional audible speaker, and light. Weighs approx. 249 grams, approx. 47 minutes of flight time.

Description, quantity, capabilities, and purchase cost

DJI Matrice 4TD UAS, cost: \$7,640.00, quantity: 1. Small UAS with a 4K camera, optional audible speaker, and light. Weighs approx. 1850 grams, approx. 54 minutes of flight time.

Purpose

Provides aerial observation platform for a variety of public safety missions.

Authorized Use

Approved uses of UAS may include, but are not limited to:

- Natural/industrial disaster;
- Crime or traffic collision scene reconstruction;
- Monitoring traffic flow for large events;
- Search and rescue;
- Bomb threat;
- Tactical/Critical incidents;
- Support of the Fire Department during significant incidents.

Training

Department members who are assigned a UAS must complete an FAA and agency-approved training program to ensure proper use and operations.

Lifespan

Approximately 2 - 3 years.

Fiscal Impact

Annual maintenance is approximately \$126 for each aircraft.

Legal and Procedural Rules

Use is established under Davis Police Department Policy 812 (Unmanned Aircraft System). It is the policy of the DPD to use UAS only for official public safety purposes, and pursuant to State and federal law.

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Police Department – Chemical Agent and Smoke Canisters: Canisters that contain chemical agents that are released when deployed.

Description, quantity, capabilities, and purchase cost

DEFENSE TECHNOLOGY CONTINUOUS DISCHARGE, CS, #1082, cost: \$27, quantity: 5. The device is designed specifically for outdoor use with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This device can be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. This launchable device is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.

DEFENSE TECHNOLOGY CONTINUOUS DISCHARGE, OC #1080, cost: \$27, quantity 5. The device is designed specifically for outdoor use with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This device can be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. This launchable device is 6.0 in. by 2.35 in. and holds approximately 0.88 oz. of active agent.

DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS, #1032, cost \$45, quantity: 8. The design allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It will deliver approximately.70 oz. of agent during its 20-25 seconds burn time and be used in tactical deployment situations by Law Enforcement but was designed with the barricade situation in mind. This device can also be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER OC, #1030, cost \$45, quantity: 8. The design allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It will deliver approximately.70 oz. of agent during its 20-25 seconds burn time and can be used in tactical deployment situations but was designed with the barricade situation in mind. This device can also be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

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DEFENSE TECHNOLOGY FLAMELESS TRI-CHAMBER SAF-SMOKE, #1033, cost: \$45, quantity: 8. The design allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. It can be used in tactical deployment situations, but was designed with the barricade situation in mind. This device can also be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

DEFENSE TECHNOLOGY MAXIMUM HC SMOKE LARGE STYLE CANISTER, #1073, cost: \$40, quantity: 10. It is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 1.5 – 2 minutes through four gas ports located on the top of the canister. This device can be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. This launchable device is 6.0 in. by 2.6 in. and holds approximately 2.9 oz. of active agent.

DEFENSE TECHNOLOGY POCKET TACTICAL, SAF-SMOKE, #1017, cost: \$35, quantity: 12. It is small, lightweight and will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. It is a small, lightweight, easily carried device that provides a medium volume of smoke for certain situations such as distraction, concealment, rescue, or signaling.

DEFENSE TECHNOLOGY POCKET TACTICAL, OC, #1019, cost: \$35, quantity: 6. This is a quick burning, reduced volume, continuous discharge device. It is a small, lightweight, easily carried device that provides a medium volume of chemical agent or smoke for certain situations such as distraction, concealment, rescue, or signaling.

DEFENSE TECHNOLOGY, POCKET TACTICAL, CS, #1016, cost: \$35, quantity: 6. The device is small, lightweight and 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. It is normally used as a signaling or covering device.

DEFENSE TECHNOLOGY POCKET TACTICAL RED SMOKE, #1017R cost: \$35, quantity: 6. This is a small, lightweight device that produces a red smoke cloud. It will burn approximately 20-40 seconds. It is normally used as a signaling or covering device.

DEFENSE TECHNOLOGY FLAMELESS EXPULSION OC, #2040, cost: \$50, quantity: 10. This 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 devices, this device's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area of approximately

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1500 square feet. It is 7.5 in. by 1.65 in. and delivers approximately .02 oz. of active agent during its 3-second discharge time.

Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot and/or to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with Penal Code § 13652.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Authorized Use

Only officers who have received training in the use chemical agents are authorized to use chemical agents.

Training

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

Lifespan

5 years from manufacturing date.

Fiscal Impact

No annual maintenance.

Legal and Procedural Rules

Use is established under the DPD Policy 414 (Use of Force). It is the policy of the DPD to use chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

Police Department – Noise Flash Diversionary Devices – Diversionary Devices are used to distract dangerous persons.

Description, quantity, capabilities, and purchase cost

CTS, 7290M Mini Flash-bang, cost: \$43.50 each, quantity: 13. A non-bursting, non-fragmenting multi-bang 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.

Purpose

A diversionary device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric overpressure 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.

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Authorized Use

Diversionary Devices shall only be used:

- By officers who have been trained in their proper use.
- When authorized by a Division Commander
- In hostage and barricaded subject situations.
- In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
- During other high-risk situations where their use would enhance officer safety.
- During training exercises.

Lifespan

Until used.

Fiscal impact

No annual maintenance.

Training

Prior to use, officers must attend diversionary device training that is conducted by P.O.S.T. certified instructors.

Legal and Procedural Rules

It is the policy of the Davis Police Department to utilize diversionary devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

Police Department – Kinetic Energy and Impact Munitions - 40MM Launchers are used by members as a less lethal tool to launch impact rounds.

Description, quantity, capabilities, and purchase cost

DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1425, cost: \$1000, quantity: 8. The 40MM Single Launcher is a single shot launcher that features an expandable stock 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.

DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1325, cost: \$1000, quantity 9. The 40MM Single Launcher is a single shot launcher that features thumb hole stock and an adjustable Integrated Front Grip (IFG). 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. The Model #1325 has been discontinued.

DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$18, quantity: 135. 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.

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DEFENSE TECHNOLOGY, FERRET 40MM LIQUID BARRICADE PENETRATOR ROUND, CS, #2262, cost: \$25, quantity: 12. 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

DEFENSE TECHNOLOGY, FERRET 40MM POWDER BARRICADE PENETRATOR ROUND, CS, #2292, cost: \$23, quantity: 12. 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.

DEFENSE TECHNOLOGY, FERRET 40MM POWDER BARRICADE PENETRATOR ROUND, OC, #2290, cost: \$23, quantity: 12. The Ferret 40 mm Barricade Penetrating Round is filled with an OC powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the front ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

DEFENSE TECHNOLOGY FERRET 40MM LIQUID BARRICADE PENETRATOR ROUND, OC, #2260, cost: \$25. The Ferret 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed 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.

DEFENSE TECHNOLOGY, 40MM WARNING/SIGNALING MUNTITION, INERT MUNITION, #6029IM, 100 Meter, cost: \$41, quantity: current inventory 35 with regular inventory of 40. 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.

DEFENSE TECHNOLOGY, 40MM WARNING/SIGNALING MUNTITION, #6029WS, 100 Meter, cost: \$41, quantity: 5. 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.

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Purpose

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

Authorized Use

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

- Self-destructive, dangerous and/or combative individuals.
- Riot and/or or to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with Penal Code § 13652.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Training

Sworn members using 40MM less lethal chemical agents or impact rounds are trained in use by certified less lethal and chemical agents instructors.

Lifespan

Defense Technology #1425- 25 years.

Defense Technology #1325- 25 years.

Model 6325 Exact Impact Sponge- 5 years.

Model 2262 Liquid Barricade Penetrator round, CS- 5 years.

Model 2292 Powder Barricade Penetrator round, CS- 5 years.

Model 2290 Powder Barricade Penetrator Round, OC- 5 Years.

Model 2260 Liquid Barricade Penetrator Round, OC- 5 Years.

Model 6029IM 40 mm warning/signaling munition, Inert, 100 meter- 5 years.

Model 6029WS 40mm warning/signaling munition, 100 meter- 5 years

Fiscal Impact

Annual maintenance is approximately \$50 for each launcher.

Legal and Procedural Rules

Use is established under Davis Police Department Policy 414 (Use of Force). It is the policy of the DPD to use the 40mm and munitions only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

Police Department - Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a longer distance than a pistol.

Description, quantity, capabilities, and purchase cost

COLT M4 CARBINE, Model CR6920, Cost: \$1000, quantity: 45. The Colt CR6920 is an AR-15 style rifle with a 16.1" barrel. The firearm is chambered in 5.56 NATO. The standard issued magazines hold 30 rounds of ammunition and the rifle has a collapsible stock. The rifle is primarily used as a patrol rifle by trained officers and provides greater accuracy and range than a handgun.

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COLT M4 CARBINE, Model LE6945CQB, Cost: \$1400, quantity: 3. The Colt LE6945CQB is a short-barreled AR-15 style rifle with a 10.3" barrel. The firearm is chambered in 5.56 NATO. The standard issued magazines hold 30 rounds of ammunition and the rifle has a collapsible stock. The rifle fires an intermediate-power cartridge (.223 Rem or 5.56 NATO) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows a trained officer better control inside of structures with greater accuracy than a handgun.

COLT M4 CARBINE, Model LE6946CQB, Cost \$1400, quantity: 7. The Colt LE6946CQB is a short-barreled AR-15 style rifle with a 10.3" barrel. The firearm is chambered in 5.56 NATO. The standard issued magazines hold 30 rounds of ammunition and the rifle has a collapsible stock. The rifle fires an intermediate-power cartridge (.223 Rem or 5.56 NATO) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows a trained officer better control inside of structures with greater accuracy than a handgun.

COLT M.A.R.C. 901.308 WIN CALIBER RIFLE, MODEL LE901-16SE, Cost: \$1800, quantity: 5. The Colt LE901-16SE is an AR-10 style rifle with a full floated 16.1" barrel. The firearm is chambered in .308 Winchester but can be converted to 5.56 NATO with the purchase and installation of a conversion kit and upper receiver. The magazine holds 20 rounds of ammunition and the rifle has a collapsible stock. The rifle is primarily used for scenarios where shots have to be made over long distances or there are intermediate barriers that need to be defeated and a patrol rifle would be inadequate to address the threat. The Colt M.A.R.C. LE901-16SE is no longer being produced.

GA PRECISION GAP-10.308 WIN CALIBER RIFLE, MODEL: GAP-10, Cost: \$3450, quantity: 1. The GA Precision GAP-10 is highly accurate AR-10 style rifle with an 18" barrel. The firearm is chambered in .308 Winchester. The firearm uses magazines that hold 10, 20 or 30 rounds. This rifle is used in sniper/observer role for SWAT operations due to greater range, accuracy and effectiveness when over-coming intermediate barriers.

REMINGTON 700 RIFLE.308 WIN CALIBER RIFLE, MODEL: Remington 700 Police LTR (Light Tactical Rifle), Cost: \$900, quantity: 1. The Remington 700 Police LTR is a bolt-action rifle, magazine fed rifle with a 20" free floated barrel. The firearm is chambered in .308 Winchester. This firearm uses magazines that hold 10, 20 or 30 rounds. This rifle is used in sniper/observer role for SWAT operations due to greater range, accuracy and effectiveness when over-coming intermediate barriers.

HORNADY TAP BARRIER 5.56 NATO CALIBER 62 GRAIN RIFLE ROUND, cost: \$300 per case of 500, quantity: current inventory 3000 rounds regular annual inventory 12 cases. Hornady Tap ammunition features a match grade brass composite case. The design of the 5.56 62 gr. TAP Barrier bullet allows the projectile to maintain its structural integrity while punching through barriers, yet initiated expansion in soft tissue.

HORNADY ELD MATCH TAP PRECISION 308 WIN CALIBER 168 GRAIN RIFLE ROUND, cost: \$30 per case of 20, quantity: current inventory 800 regular annual inventory 800 rounds. The 168 gr. ELD® Match bullet with Heat Shield® tip delivers the excellent terminal performance

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TAP Precision® is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target.

HORNADY ELD MATCH TAP AR 308 WIN CALIBER 168 GRAIN RIFLE ROUND, cost: \$30 per case of 20, quantity: 0 rounds. Designed specifically for the 308 AR-10 platform and its variants, the resilient tip of the ELD Match bullet aids in reliable feed and function, and the propellant is specifically tailored to efficiently operate in the AR-10. The 168 gr. ELD® Match bullet with Heat Shield® tip delivers the excellent terminal performance TAP Precision® is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target.

HORNADY TAP GMX 308 CALIBER 165 GRAIN RIFLE ROUND, cost: \$42 per case of 20, quantity: current inventory 200 rounds regular annual inventory 38 cases. 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.

PRACTICE AMMUNITION

55-62 GRAIN FMJ or FMJ BT.223 REM/ 5.56 NATO RIFLE ROUND, cost: \$600 per case of 1000, quantity: current inventory 10,000 rounds regular annual inventory 38 cases. 55-62 grain FMJ or FMJ BT rounds to be used for training. Manufacturer and specifications to vary based on market rate and availability from suppliers.

145-165 GRAIN FMJ or FMJ BT.308 Win/ 7.62 NATO RIFLE ROUND, cost \$90 per case of 100, quantity: current inventory 600 rounds regular annual inventory 10 cases. 145-165 grain FMJ or FMJ BT rounds to be used for training. Manufacturer and specifications to vary based on market rate and availability from suppliers.

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.

Authorized Use

Members may deploy a rifle in circumstances where the member can articulate a reasonable expectation that the firearm may be needed. General guidelines for deploying a rifle include, but are not limited to:

- Situations where the member reasonably anticipates an armed encounter.
- When a member is faced with a situation that may require accurate and effective fire at long range.
- Situations where a member reasonably expects the need to meet or exceed an armed person's firepower.
- When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.

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- When a member reasonably believes that a suspect may be wearing body armor.
- When authorized or requested by a supervisor.
- When needed to euthanize an animal.

Lifespan

Colt M4 6920 rifle- 20 years

Colt M4 6945 rifle- 15 years

Colt M4 6946 rifle- 15 years

Colt 901.308 rifle- 20 years

GA Precision GAP-10.308 Rifle- 10 years

Remington 700.308 Rifle- 15 years

Hornady duty ammunition- No expiration

Practice ammunition- No expiration

Fiscal Impact

Annual maintenance is approximately \$50 for each rifle.

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.

Legal and Procedural Rules

Use is established under Policy 414, (Use of Force). Equipment is established under Policy 413, (Firearms/Firearms Range). It is the policy of the Department to use rifles only for official law enforcement purposes, and pursuant to State and federal law regarding the use of force.

Breaching Tools: Tools that are used to conduct an explosive breach.

Description, quantity, capabilities, and purchase cost

DETONATING CORD, cost: \$1 per foot, quantity: 750 feet. 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.

BLASTING CAP, cost: \$12, quantity: 50. 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.

REMINGTON 870 BREACHING SHOTGUN, cost: \$500, quantity: 2. This pump-action shotgun allows for breachers to safely utilize shotgun breaching rounds in order to defeat 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.

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REMINGTON 870P POLICE BREACHER, cost: \$1,200, quantity: 0. This pump-action shotgun allows for breachers to safely utilize shotgun breaching rounds in order to defeat 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. The overall length of this shotgun is reduced shorter than a standard 870 to aid in maneuvering in confined spaces. This system is to replace aging breaching shotguns.

ROYAL ARMS TESAR-2 BACK CAP 425 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 75. The round is fired from a breaching shotgun and is used to defeat deadbolts, locks and hinges.

ROYAL ARMS TESAR-3 GREEN CAP 375 GRAIN CLAYVON FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 10. The round is fired from a breaching shotgun and is used to defeat deadbolts, locks and hinges.

ROYAL ARMS TESAR-4 YELLOW CAP 750 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 0. The round is fired from a breaching shotgun and is used to defeat deadbolts, locks, and hinges.

ROYAL ARMS HP CUTTER 12 GAUGE HOLLOW POINT REBAR CUTTER BREACHING ROUND, cost: \$6 per round, quantity: 12. The round is fired from a breaching shotgun and is used to cut rebar, penetrate security glass, car doors, and can penetrate engine blocks.

ROYAL ARMS FB-82H 12-GAUGE 82 GRAIN FLASH BANG HARD BREACHING ROUND, cost: \$5 per round, quantity: 36. The rounds are fired from a breaching shotgun and is used as a diversionary round and can be used to break glass.

ROYAL ARMS MB-70S 12 GAUGE MUZZLE BLAST FLASH BANG SOFT BREACHING ROUND, cost: \$6 per round, quantity: 12. The round is fired from a breaching shotgun and is used as a diversionary round and can be used to break glass.

Purpose

To safely gain entry into a structure.

Authorized Use

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

Lifespan

Breaching Shotgun- 25 years

Blasting Caps- 10 years

Detonating cord- 10 years

Royal Arms Tesar-2 black cap 425 grain copper breaching round- 5 years

Royal Arms Tesar-3 green cap 375 grain clayvon frangible breaching round- 5 years

Royal Arms Tesar-4 yellow cap 750 grain copper frangible breaching round- 5 years

Royal Arms HP cutter 12-gauge hollow point rebar cutter breaching round- 5 years

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Royal Arms FB-82H 12-gauge 82 grain flash bang hard core breaching round- 5 years

Royal Arms MB-70S 12-gauge muzzle blast flash bang soft breaching round- 5 years

Fiscal Impact

Annual maintenance is approximately \$500.

Training

All officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations. Officers who use shotgun breaching shall attend a shotgun breaching training course.

810.12 COUNCIL ACTION

[See attachment: 2025 Military Equipment Annual Report_Reauthorization.pdf](#)

Attachments

2025 Military Equipment Annual Report_Reauthorization.pdf

STAFF REPORT

DATE: June 17, 2025
TO: City Council
FROM: Todd Henry, Police Chief
SUBJECT: Davis Police Department Equipment

Recommendation

1. Hold public hearing, adopt findings pursuant to Government Code §§ 7070 et seq., and introduce for first reading an ordinance re-adopting a “Military Equipment” policy and re-authorizing the Davis Police Department’s continued use of “military equipment”, as defined by Government Code §§ 7070 et seq.

Fiscal Impact

There is no fiscal impact to this report. Each equipment item has costs associated with its purchase, upkeep and use, and those are handled through the regular citywide budget process.

Council Goal(s)

This item is consistent with City Council’s goal 5, to Maintain High Quality Infrastructure and Services. It is not tied to a specific task.

Commission Involvement

This item and accompanying information were sent to the Police Accountability Commission for their May 5 meeting.

Additionally, the Department held a well-publicized community engagement meeting on May 27, 2025, in which the community was able to review the annual military use policy and ask questions (Government Code § 7072).

Background and Analysis

California Assembly Bill 481 was signed by Governor Newsom on September 30, 2021, and requires that law enforcement agencies obtain approval from the agency’s governing body (the City Council) prior to: purchasing, raising funds for, or acquiring “military equipment”; using “military equipment”; and collaborating with other law enforcement agencies in the deployment or use of “military equipment” within the governing body’s territorial jurisdiction (Government Code § 7071).

The term “military equipment” does not necessarily indicate equipment that has been used by the military, obtained from the military, or is even considered military grade. Items now deemed to be “military equipment” are widely and regularly used by law enforcement agencies all over the country for a variety of law enforcement related critical incidents and include, but are not limited to, unmanned aerial or ground vehicles (i.e. drones or bomb disposal robots), armored vehicles, command post vehicles, explosive breaching tools, pepper balls, impact munitions, tear gas, and commonly used long rifles (Government Code § 7070).

The stated intent of the new law is to increase transparency, accountability and oversight surrounding the acquisition and intended use of the designated “military equipment” by State and local law enforcement.

Council approval must take the form of an ordinance (Attachment A - updated for 2025/2026), and adopting a publicly released, written military equipment use policy (Attachment A - updated for 2025/2026), which must address a number of specific topics. These topics include the type, quantity, capabilities, purposes, and authorized uses of each type of “military equipment;” the fiscal impact of their acquisition and use; the legal and procedural rules that govern their use; the training required by any officer allowed to use the equipment; the mechanisms in place to ensure policy compliance; and the procedures by which the public may submit complaints. The City Council is required to consider the proposed military equipment policy in open session and may approve the policy only if it makes the following findings:

- The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- The proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights, and civil liberties.
- If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

Although the City Council already adopted a military equipment ordinance and use policy on June 4, 2024¹, for 2024/2025, AB 481 requires law enforcement agencies that receive approval for the use of “military equipment” to submit annual reports to the City Council regarding the use of the equipment, any complaints received, any internal audits or other information about violations of the military equipment use policy, the cost and quantity of each type of military equipment, and the quantity of military equipment if the agency intends to acquire additional military equipment in the next year. The use policy (Attachment A) is done in draft, strike-underline to highlight the current inventory of items, the regular inventory, and new items for consideration. The City Council is also required to review any ordinance it has adopted at least annually and vote on whether to renew the ordinance and authorize the purchase or re-purchasing of specific items at a regular public meeting.

Davis Police Department’s “Military Equipment” Policy and Annual Report

The Davis Police Department has prepared a proposed “Military Equipment” policy (Attachment B - Policy 810, Military Equipment) that complies with AB 481 and is based on a model policy used by many other law enforcement agencies in California. A copy of the proposed policy, which is substantially the same as the policy adopted by the City Council in 2024, is attached to this staff report. Additionally, pursuant to AB 481, the proposed “Military Equipment” policy has also been published on the Davis Police Department’s website as required by State law. The proposed “Military Equipment” Policy provides a list of the “military equipment” used by the Davis Police Department, much of which is used by the regional Special Weapons and Tactics (SWAT) Team, which inherently uses specialized equipment with heavy training.

¹ [Military Equipment Staff Report June 4, 2024.](#)

The Davis Police Department Use of Force Policy, which is referenced in the Military Equipment Policy, can also be found online². Importantly, the Use of Force policy places restrictions on the use of equipment now also governed by the Military Equipment Policy. For example, while the Department has chemical agents and kinetic energy projectiles, there are significant limitations/restrictions for how those tools are used¹ (see also Penal Code § 13652 generally prohibiting chemical agents or kinetic energy projectiles for crowd control and demonstrations absent specific danger to life). Their application now is mostly for hostage/barricade person situations where they are an extremely valuable tool and alternative to higher levels of force, including deadly force (less-lethal force).

In addition, items now viewed as military equipment are also regulated by the City because they are also considered surveillance technology (see Davis Municipal Code article 26.07). These items use is reported to Council in the annual Surveillance Technology Report. For example, the bomb robot used by the joint County bomb squad and unmanned aerial systems (drones) have been approved by Council as surveillance technology under Police Department Policy 1003, EOD Robot³, and Police Policy 812, Unmanned Aerial Systems⁴.

AB 481 requires the City Council approve not only the current equipment in use, but also any future acquisition or use. In other words, if the Police Department seeks to expand the use of anything covered under the proposed use policy or to acquire new equipment not previously approved, further City Council action is required, which includes adoption of a new ordinance and approval of a new use policy.

New Acquisitions for 2025/2026

The Police Department is seeking to add a new Unmanned Aerial System (UAS) model to the Military Equipment Policy. The Department had not initially intended to add the UAS model to the Military Equipment Policy this year. However, the uncertainty of tariffs has made projecting procurement costs difficult. Currently, the desired UAS is at a lower price due to current tariffs. Because the Department cannot make a military equipment purchase without prior Council approval, the Department is requesting to add the model to the Military Equipment Policy, in anticipation of purchasing the UAS in the near future. The UAS would be purchased through the California Supplemental Law Enforcement Services Fund (SLESF) funds. SLESF are grant funds, and the enabling legislation mandates that each municipality spend the funds on “front-line law enforcement services.” SLESF funds cannot be diverted into an entity’s general fund and must instead be used for the aforementioned front-line law enforcement services. The Department currently has sufficient funds in the SLESF account to cover the equipment purchase.

Other inventory items have been updated in the Military Equipment Policy because some items, such as ammunition, have been used during training, and the Department will need to replace them using the existing allocated amount in the Police Department budget.

Complaints

There were no complaints regarding the use of any military equipment for 2024/2025.

Equipment Use

² [Davis Police Department Policy 414 – Use of Force](#)

³ [Davis Police Department Policy 1003 – EOD Robot](#)

⁴ [Davis Police Department Policy 812 – Unmanned Aerial System](#)

Outside of approved Department training, none of the approved military equipment was used in 2024/2025, with the exception of the EOD robot and Unmanned Aerial System. The EOD robot was used to inspect a suspected explosive device in downtown Davis. The Unmanned Aerial System was used to assist in locating felony suspects who fled law enforcement, locating missing persons, providing overview videos for other City Departments of property developments, recording video evidence at crime scenes, and capturing video evidence at significant public events with elevated safety risks.

The use of the EOD robot and Unmanned Aerial System was also reported to Council in the Annual Surveillance Technology report for 2024/2025 on June 17, 2025.

The Total Annual Cost for Each Type of Military Equipment

The annual costs are described in Attachment B, the Military Equipment Policy.

Internal Audits

The Police Department audited the control, use and deployment of military equipment for the 2024/2025 audit period. No violations of the use policy or audit were detected.

Attachments

1. Ordinance
2. Davis Police Department Policy 810, Military Equipment

ⁱ Kinetic Energy Projectiles & Chemical Agents – Assembly, Protest, or Demonstration (Penal Code § 13652)

Except as provided for in this section, kinetic energy projectiles and chemical agents shall not be used by any law enforcement agency to disperse any assembly, protest, or demonstration (Penal Code § 13652 (a). See Policy 402, First Amendment Assemblies for further guidance).

1. Authorized Use (Penal Code § 13652 (b))

Kinetic energy projectiles and chemical agents shall only be deployed by a peace officer that has received training on their proper use by the Commission on Peace Officer Standards and Training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:

- a. De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- b. Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- c. Persons are given an objectively reasonable opportunity to disperse and leave the scene.
- d. An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are

-
- targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
- e. Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
 - f. Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
 - g. An objectively reasonable effort has been made to extract individuals in distress.
 - h. Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
 - i. Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
 - j. Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:
 - 1. A violation of an imposed curfew.
 - 2. A verbal threat.
 - 3. Noncompliance with a law enforcement directive.
 - k. If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS RE-ADOPTING A
MILITARY EQUIPMENT USE POLICY AND RE-APPROVING THE USE,
ACQUISITION, AND SEEKING OF FUNDING FOR MILITARY EQUIPMENT**

WHEREAS, California Government Code § 7071 (a)(1) requires a law enforcement agency to obtain approval of the applicable governing body, by adoption of a Military Equipment Use Policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined; and

WHEREAS, on June 4, 2024, the Davis City Council adopted a military equipment ordinance and military equipment use policy governing certain police equipment in Davis; and

WHEREAS, California Government Code § 7072 (a) requires the governing body to annually review the ordinance and to either disapprove a renewal of the authorization for a type, as defined, of military equipment or amend the military equipment use policy if it determines, based on an annual military equipment use report prepared by the law enforcement agency, as provided, that the military equipment does not comply with described standards for approval; and

WHEREAS, The Davis Police Department uses military equipment, as now defined by State law; and

WHEREAS, The Davis Police Department desires to continue using military equipment and/or collaborate with other law enforcement agencies in using military equipment, as now defined by State law.

NOW, THEREFORE, the City Council of the City of Davis does hereby ordain as follows:

SECTION 1. City of Davis Ordinance 2659 regarding authorized Davis Police Department military equipment is hereby repealed on the effective date of this City of Davis Ordinance.

SECTION 2.

Findings.

On June 17, 2025, the City Council considered the adoption of this Ordinance at a public meeting, and on the basis of the record thereof, finds the following facts to be true:

- A. Assembly Bill 481, codified as California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain re-approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding,

acquisition, or use of military equipment. The term “military equipment” is defined in California Government Code section 7070(c).

- B. Government Code sections 7070 et. seq. allows the governing body of a city to approve the funding, acquisition, and/or use of military equipment within its jurisdiction only if it makes specified findings.
- C. The proposed Davis Police Department military equipment use policy is titled Policy 810 “Military Equipment” and is within the Davis Police Department Policy Manual.
- D. Davis Police Department Policy 810 “Military Equipment”, along with a list of current and proposed “military equipment,” was provided to the Davis City Council and was published on the Davis Police Department’s internet website in accordance with State law.
- E. Davis Police Department Policy 810 “Military Equipment” meets the requirements of California Government Code section 7070(d).

SECTION 3. Determinations.

Based on the findings above, in addition to information provided to the City Council at the public hearing on June 17, 2025, the City Council determines as follows:

- A. The “military equipment” (as defined by California Government Code section 7070(c)) identified in Davis Police Department Policy 810 “Military Equipment” section 810.11, is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;
- B. The Policy 810 “Military Equipment” will safeguard the public’s welfare, safety, civil rights, and civil liberties;
- C. The current “military equipment” identified in section 810.11, of Policy 810 “Military Equipment” and the purchasing of any future “military equipment” on the list of approved “military equipment” (as defined by California Government Code section 7070(c)) is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety;
- D. Prior “military equipment” use complied with the use policy that was in effect at the time;
- E. Davis Police Department Policy 810 “Military Equipment” is approved and adopted and the City Council authorizes the use, acquisition, and seeking of funds for all “military equipment” listed in section II., I. and as defined by California Government Code section 7070(c) and Policy 810 “Military Equipment”.
- F. Future acquisition of “military equipment” and/or modifications to the Davis Police Department Policy 810 “Military Equipment” will require further City Council authorization.

SECTION 4. Certification.

The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law.

SECTION 5. Severability.

If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 6. Effective Date.

This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

INTRODUCED on the 17th day of June, 2025, and **PASSED AND ADOPTED** by the City Council of the City of Davis on this 17th day of June, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Bapu Vaitla, Mayor of the City of Davis

ATTEST:

Zoe S. Mirabile, CMC,
City Clerk of the City of Davis

Military Equipment

810.1 PURPOSE AND SCOPE

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

810.1.1 DEFINITIONS

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

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

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

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

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Military Equipment

810.2 POLICY

This policy provides guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code §§ 7070 et seq.).

Members are required to comply with the provisions of this policy and law with respect to military equipment.

810.3 DEPARTMENT COORDINATOR

The Professional Standards Lieutenant will act as the Military Equipment Coordinator. The responsibilities include but are not limited to:

- Identifying military equipment that requires City Council approval.
- Conducting an inventory of all military equipment at least annually.
- Collaborating with any allied agency that may use military equipment within the City of Davis (Government Code § 7071).
- Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - o Publicizing the details of the meeting.
 - o Preparing for public questions regarding the funding, acquisition, and use of equipment.
 - o Preparing the annual military equipment report for submission to the Police Chief and ensuring that the report is made available on the Department's website (Government Code § 7072).

810.4 CITY COUNCIL APPROVAL

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

- Requesting military equipment made available pursuant to 10 USC § 2576a.
- 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.
- Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- Collaborating with another law enforcement agency in the deployment or other use of military equipment within Davis.
- Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.

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- 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.
- Acquiring military equipment through any means not provided above.

810.5 AGENCY COLLABORATION

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy. On occasion, the Department may be required to assist or be assisted by other law enforcement agencies in a formal Law Enforcement Mutual Aid Request (LEMA) or support with day to day operational collaboration (i.e. pursuits, investigative unit assistance, joint law enforcement operations, etc.). In certain mutual aid or operational collaboration circumstances, it may be necessary for Department members to use military equipment in order to fulfill an assigned mission (i.e. civil unrest, SWAT requests, barricaded suspects in a vehicle, etc.). When Department members use military equipment in instances of mutual aid or law enforcement collaboration, the following shall apply:

Department members are required to adhere to the Department's Military Equipment Policy and all other policies and procedures outlined within the Davis Police Department's Policy manual, regardless of operational jurisdiction.

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

- a. The Davis Police Department shall remain in charge of the overall incident command.
- b. The Incident Commander or their designee shall brief the supervisor from the assisting agency, as time allows, 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 use of military equipment by an assisting agency inconsistent with the guidelines set forth in this policy, the Incident Commander may elect to cancel the request for mutual aid or re-assign the assisting agency to a different support mission.

810.6 ANNUAL REPORT

The Department shall submit an annual military equipment report to City Council that addresses each type of military equipment possessed by the Department. The Department shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum,

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include the following information for the immediately preceding calendar year for each type of military equipment:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- 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.
- The quantity possessed for each type of military equipment.
- If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
- 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, funding, acquisition, or use of military equipment.

810.7 CATALOGING OF EQUIPMENT

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

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

810.8 COMPLIANCE

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, has been completed, unless exigent circumstances arise.

The Department recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of military equipment options can greatly assist Incident Commanders, Officers, and specific units in bringing those incidents to a swift resolution in a safe manner. The use of military equipment is restricted for use only in certain instances and in some cases only by certain units/teams. While this procedure is wide-ranging, it is not all-inclusive. There may be instances wherein exigent circumstances demand the need for Incident Commanders to authorize military equipment to be used in a manner not outlined within this policy. In scrutinizing those particular

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instances, the judgment of the Incident Commander influenced by the totality of the circumstances, public safety, officer safety, civil rights, and information available at the time will be used.

It is incumbent upon Incident Commanders, Supervisors, individual Officers, and specific units/teams to recognize the particular 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.

Department members are bound to adhere to Department Policy, in addition to State and local laws and ordinances when employing the use of military equipment at any time.

Professional Standards will ensure that Department members comply with this policy. The Office of the Police Chief will be notified of any policy violations and, if needed, the violation(s) will be referred for formal investigation and handled in accordance with the Internal Investigations Policy. All instances of non-compliance will be reported to City Council within 90 days of the incident and via the annual military equipment report.

Any member of the public can register a question or concern regarding military use equipment by contacting the Department at policeadmin@cityofdavis.org. A response to the question or concern shall be completed by the Department in a timely manner.

810.9 ANNUAL REPORTING

The Department shall submit an annual military equipment report to City Council that addresses each type of military equipment possessed by the Department. The Department shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- 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.
- The quantity possessed for each type of military equipment.
- If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
- 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, funding, acquisition, or use of military equipment.

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810.10 SUPPLY LEVELS

When stocks of already approved military equipment have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without city council approval to maintain essential availability for the Department's needs. The Department is authorized to acquire additional stock of items listed here from other law enforcement agencies of CalOES in the event of an emergency when approved by the Police Chief.

810.11 DAVIS CITY COUNCIL AUTHORIZED MILITARY EQUIPMENT FOR THE DAVIS POLICE DEPARTMENT

Police Department – Armored Rescue Vehicle - Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

Description, quantity, capabilities, and purchase cost

Ford Transit Van 350HD EcoBoost V6: \$137,750 quantity: 1. The armored vehicle seats 10-12 personnel with open floor plan that allows for rescue of down personnel. The Armored Rescue Vehicle (ARV) is a commercial Van converted by International Armored Group to be a ballistic Armored Rescue Vehicle that provides protection to those inside from most ballistic threats.

Purpose

To be used in response to critical incidents in order to enhance officer and community safety, and improve scene containment and stabilization. The ARV provides the ability to move or re-position officers and extract or evacuate civilians when faced with the risk of firearms. The ARV also provides officers a protected observation platform from which negotiations and other de-escalation attempts can be made.

Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

Lifespan

20 years.

Fiscal Impact

Annual maintenance cost of approximately \$10,000. No other substantial costs for use.

Training

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

Legal and Procedural Rules

Use is established under PP 2.63, ARV. It is the policy of the Department to use armored vehicles only for official law enforcement purposes, and pursuant to State and federal law.

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Police Department – Small Unmanned Aircraft Systems (UAS) - UAS are used by members to respond to a variety of public safety missions.

Description, quantity, capabilities, and purchase cost

DJI MAVIC 3 UAS, cost: \$17,244.00, quantity: 3. Small UAS with a 4K thermal camera, audible speaker, and light. Weighs approx. 1100 grams, approx. 31 minutes of flight time.

Description, quantity, capabilities, and purchase cost

DJI AVATA PRO VIEW, cost: \$6,940.00, quantity: 5. Small UAS with a 4K camera, optional audible speaker, and light. Weighs approx. 410 grams, approx. 20 minutes of flight time.

Description, quantity, capabilities, and purchase cost

DJI MINI PRO 3 UAS, cost: \$1,245.00, quantity: 5. Small UAS with a 4K camera, optional audible speaker, and light. Weighs approx. 249 grams, approx. 47 minutes of flight time.

Description, quantity, capabilities, and purchase cost

DJI Matrice 4TD UAS, cost: \$7,640.00, quantity: 1. Small UAS with a 4K camera, optional audible speaker, and light. Weighs approx. 1850 grams, approx. 54 minutes of flight time.

Purpose

Provides aerial observation platform for a variety of public safety missions.

Authorized Use

Approved uses of UAS may include, but are not limited to:

- Natural/industrial disaster;
- Crime or traffic collision scene reconstruction;
- Monitoring traffic flow for large events;
- Search and rescue;
- Bomb threat;
- Tactical/Critical incidents;
- Support of the Fire Department during significant incidents.

Training

Department members who are assigned a UAS must complete an FAA and agency-approved training program to ensure proper use and operations.

Lifespan

Approximately 2 - 3 years.

Fiscal Impact

Annual maintenance is approximately \$126 for each aircraft.

Legal and Procedural Rules

Use is established under Davis Police Department Policy [812](#) and ~~Procedure 2.66-A~~ (Unmanned Aircraft System). It is the policy of the DPD to use UAS only for official public safety purposes, and pursuant to State and federal law.

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Police Department – Chemical Agent and Smoke Canisters: Canisters that contain chemical agents that are released when deployed.

Description, quantity, capabilities, and purchase cost

DEFENSE TECHNOLOGY CONTINUOUS DISCHARGE, CS, #1082, cost: \$27, quantity: 5. The device is designed specifically for outdoor use with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This device can be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. This launchable device is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.

DEFENSE TECHNOLOGY CONTINUOUS DISCHARGE, OC #1080, cost: \$27, quantity 5. The device is designed specifically for outdoor use with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This device can be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. This launchable device is 6.0 in. by 2.35 in. and holds approximately 0.88 oz. of active agent.

DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS, #1032, cost \$45, quantity: 8. The design allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It will deliver approximately.70 oz. of agent during its 20-25 seconds burn time and be used in tactical deployment situations by Law Enforcement but was designed with the barricade situation in mind. This device can also be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER OC, #1030, cost \$45, quantity: 8. The design allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It will deliver approximately.70 oz. of agent during its 20-25 seconds burn time and can be used in tactical deployment situations but was designed with the barricade situation in mind. This device can also be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

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DEFENSE TECHNOLOGY FLAMELESS TRI-CHAMBER SAF-SMOKE, #1033, cost: \$45, quantity: 8. The design allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. It can be used in tactical deployment situations, but was designed with the barricade situation in mind. This device can also be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

DEFENSE TECHNOLOGY MAXIMUM HC SMOKE LARGE STYLE CANISTER, #1073, cost: \$40, quantity: 10. It is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 1.5 – 2 minutes through four gas ports located on the top of the canister. This device can be used to conceal tactical movement or when the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with the provisions of Penal Code§ 13652. This launchable device is 6.0 in. by 2.6 in. and holds approximately 2.9 oz. of active agent.

DEFENSE TECHNOLOGY POCKET TACTICAL, SAF-SMOKE, #1017, cost: \$35, quantity: 12. It is small, lightweight and will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. It is a small, lightweight, easily carried device that provides a medium volume of smoke for certain situations such as distraction, concealment, rescue, or signaling.

DEFENSE TECHNOLOGY POCKET TACTICAL, OC, #1019, cost: \$35, quantity: 6. This is a quick burning, reduced volume, continuous discharge device. It is a small, lightweight, easily carried device that provides a medium volume of chemical agent or smoke for certain situations such as distraction, concealment, rescue, or signaling.

DEFENSE TECHNOLOGY, POCKET TACTICAL, CS, #1016, cost: \$35, quantity: 6. The device is small, lightweight and 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. It is normally used as a signaling or covering device.

DEFENSE TECHNOLOGY POCKET TACTICAL RED SMOKE, #1017R cost: \$35, quantity: 6. This is a small, lightweight device that produces a red smoke cloud. It will burn approximately 20-40 seconds. It is normally used as a signaling or covering device.

DEFENSE TECHNOLOGY FLAMELESS EXPULSION OC, #2040, cost: \$50, quantity: 10. This 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 devices, this device's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area of approximately

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1500 square feet. It is 7.5 in. by 1.65 in. and delivers approximately .02 oz. of active agent during its 3-second discharge time.

Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot and/or to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with Penal Code § 13652.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Authorized Use

Only officers who have received training in the use chemical agents are authorized to use chemical agents.

Training

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

Lifespan

5 years from manufacturing date.

Fiscal Impact

No annual maintenance.

Legal and Procedural Rules

Use is established under the DPD Policy [414](#) and [Procedure 3.05-A](#) (Use of Force). It is the policy of the DPD to use chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

Police Department – Noise Flash Diversionary Devices – Diversionary Devices are used to distract dangerous persons.

Description, quantity, capabilities, and purchase cost

CTS, 7290M Mini Flash-bang, cost: \$43.50 each, quantity: 13. A non-bursting, non-fragmenting multi-bang 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.

Purpose

A diversionary device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric overpressure 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.

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Authorized Use

Diversionsary Devices shall only be used:

- By officers who have been trained in their proper use.
- When authorized by a Division Commander
- In hostage and barricaded subject situations.
- In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
- During other high-risk situations where their use would enhance officer safety.
- During training exercises.

Lifespan

Until used.

Fiscal impact

No annual maintenance.

Training

Prior to use, officers must attend diversionsary device training that is conducted by P.O.S.T. certified instructors.

Legal and Procedural Rules

It is the policy of the Davis Police Department to utilize diversionsary devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

Police Department – Kinetic Energy and Impact Munitions - 40MM Launchers are used by members as a less lethal tool to launch impact rounds.

Description, quantity, capabilities, and purchase cost

DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1425, cost: \$1000, quantity: 8. The 40MM Single Launcher is a single shot launcher that features an expandable stock 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.

DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1325, cost: \$1000, quantity 9. The 40MM Single Launcher is a single shot launcher that features thumb hole stock and an adjustable Integrated Front Grip (IFG). 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. The Model #1325 has been discontinued.

DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$18, quantity: 135. 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.

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DEFENSE TECHNOLOGY, FERRET 40MM LIQUID BARRICADE PENETRATOR ROUND, CS, #2262, cost: \$25, quantity: 12. 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

DEFENSE TECHNOLOGY, FERRET 40MM POWDER BARRICADE PENETRATOR ROUND, CS, #2292, cost: \$23, quantity: 12. 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.

DEFENSE TECHNOLOGY, FERRET 40MM POWDER BARRICADE PENETRATOR ROUND, OC, #2290, cost: \$23, quantity: 12. The Ferret 40 mm Barricade Penetrating Round is filled with an OC powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the front ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

DEFENSE TECHNOLOGY FERRET 40MM LIQUID BARRICADE PENETRATOR ROUND, OC, #2260, cost: \$25. The Ferret 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed 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.

DEFENSE TECHNOLOGY, 40MM WARNING/SIGNALING MUNTITION, INERT MUNITION, #6029IM, 100 Meter, cost: \$41, quantity: current inventory 35 with regular inventory of 40. 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.

DEFENSE TECHNOLOGY, 40MM WARNING/SIGNALING MUNTITION, #6029WS, 100 Meter, cost: \$41, quantity: 5. 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.

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Purpose

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

Authorized Use

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

- Self-destructive, dangerous and/or combative individuals.
- Riot and/or or to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with Penal Code § 13652.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Training

Sworn members using 40MM less lethal chemical agents or impact rounds are trained in use by certified less lethal and chemical agents instructors.

Lifespan

Defense Technology #1425- 25 years.

Defense Technology #1325- 25 years.

Model 6325 Exact Impact Sponge- 5 years.

Model 2262 Liquid Barricade Penetrator round, CS- 5 years.

Model 2292 Powder Barricade Penetrator round, CS- 5 years.

Model 2290 Powder Barricade Penetrator Round, OC- 5 Years.

Model 2260 Liquid Barricade Penetrator Round, OC- 5 Years.

Model 6029IM 40 mm warning/signaling munition, Inert, 100 meter- 5 years.

Model 6029WS 40mm warning/signaling munition, 100 meter- 5 years

Fiscal Impact

Annual maintenance is approximately \$50 for each launcher.

Legal and Procedural Rules

Use is established under Davis Police Department Policy [414](#) and ~~Procedure 3.05-A~~ (Use of Force). It is the policy of the DPD to use the 40mm and munitions only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

Police Department - Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a longer distance than a pistol.

Description, quantity, capabilities, and purchase cost

COLT M4 CARBINE, Model CR6920, Cost: \$1000, quantity: 45. The Colt CR6920 is an AR-15 style rifle with a 16.1" barrel. The firearm is chambered in 5.56 NATO. The standard issued magazines hold 30 rounds of ammunition and the rifle has a collapsible stock. The rifle is primarily used as a patrol rifle by trained officers and provides greater accuracy and range than a handgun.

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COLT M4 CARBINE, Model LE6945CQB, Cost: \$1400, quantity: 3. The Colt LE6945CQB is a short-barreled AR-15 style rifle with a 10.3" barrel. The firearm is chambered in 5.56 NATO. The standard issued magazines hold 30 rounds of ammunition and the rifle has a collapsible stock. The rifle fires an intermediate-power cartridge (.223 Rem or 5.56 NATO) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows a trained officer better control inside of structures with greater accuracy than a handgun.

COLT M4 CARBINE, Model LE6946CQB, Cost \$1400, quantity: 7. The Colt LE6946CQB is a short-barreled AR-15 style rifle with a 10.3" barrel. The firearm is chambered in 5.56 NATO. The standard issued magazines hold 30 rounds of ammunition and the rifle has a collapsible stock. The rifle fires an intermediate-power cartridge (.223 Rem or 5.56 NATO) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows a trained officer better control inside of structures with greater accuracy than a handgun.

COLT M.A.R.C. 901.308 WIN CALIBER RIFLE, MODEL LE901-16SE, Cost: \$1800, quantity: 5. The Colt LE901-16SE is an AR-10 style rifle with a full floated 16.1" barrel. The firearm is chambered in .308 Winchester but can be converted to 5.56 NATO with the purchase and installation of a conversion kit and upper receiver. The magazine holds 20 rounds of ammunition and the rifle has a collapsible stock. The rifle is primarily used for scenarios where shots have to be made over long distances or there are intermediate barriers that need to be defeated and a patrol rifle would be inadequate to address the threat. The Colt M.A.R.C. LE901-16SE is no longer being produced.

GA PRECISION GAP-10.308 WIN CALIBER RIFLE, MODEL: GAP-10, Cost: \$3450, quantity: 1. The GA Precision GAP-10 is highly accurate AR-10 style rifle with an 18" barrel. The firearm is chambered in .308 Winchester. The firearm uses magazines that hold 10, 20 or 30 rounds. This rifle is used in sniper/observer role for SWAT operations due to greater range, accuracy and effectiveness when over-coming intermediate barriers.

REMINGTON 700 RIFLE.308 WIN CALIBER RIFLE, MODEL: Remington 700 Police LTR (Light Tactical Rifle), Cost: \$900, quantity: 1. The Remington 700 Police LTR is a bolt-action rifle, magazine fed rifle with a 20" free floated barrel. The firearm is chambered in .308 Winchester. This firearm uses magazines that hold 10, 20 or 30 rounds. This rifle is used in sniper/observer role for SWAT operations due to greater range, accuracy and effectiveness when over-coming intermediate barriers.

HORNADY TAP BARRIER 5.56 NATO CALIBER 62 GRAIN RIFLE ROUND, cost: \$300 per case of 500, quantity: current inventory 3000 rounds regular annual inventory 12 cases. Hornady Tap ammunition features a match grade brass composite case. The design of the 5.56 62 gr. TAP Barrier bullet allows the projectile to maintain its structural integrity while punching through barriers, yet initiated expansion in soft tissue.

HORNADY ELD MATCH TAP PRECISION 308 WIN CALIBER 168 GRAIN RIFLE ROUND, cost: \$30 per case of 20, quantity: current inventory 800 ~~100~~ regular annual inventory 800 ~~500~~ rounds. The 168 gr. ELD® Match bullet with Heat Shield® tip delivers the excellent terminal performance

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TAP Precision® is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target.

HORNADY ELD MATCH TAP AR 308 WIN CALIBER 168 GRAIN RIFLE ROUND, cost: \$30 per case of 20, quantity: 0 rounds. Designed specifically for the 308 AR-10 platform and its variants, the resilient tip of the ELD Match bullet aids in reliable feed and function, and the propellant is specifically tailored to efficiently operate in the AR-10. The 168 gr. ELD® Match bullet with Heat Shield® tip delivers the excellent terminal performance TAP Precision® is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target.

HORNADY TAP GMX 308 CALIBER 165 GRAIN RIFLE ROUND, cost: \$42 per case of 20, quantity: current inventory 200 **300** rounds regular annual inventory 38 cases. 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.

PRACTICE AMMUNITION

55-62 GRAIN FMJ or FMJ BT.223 REM/ 5.56 NATO RIFLE ROUND, cost: \$600 per case of 1000, quantity: current inventory 10,000 **20,000** rounds regular annual inventory 38 cases. 55-62 grain FMJ or FMJ BT rounds to be used for training. Manufacturer and specifications to vary based on market rate and availability from suppliers.

145-165 GRAIN FMJ or FMJ BT.308 Win/ 7.62 NATO RIFLE ROUND, cost \$90 per case of 100, quantity: current inventory 600 rounds regular annual inventory 10 cases. 145-165 grain FMJ or FMJ BT rounds to be used for training. Manufacturer and specifications to vary based on market rate and availability from suppliers.

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.

Authorized Use

Members may deploy a rifle in circumstances where the member can articulate a reasonable expectation that the firearm may be needed. General guidelines for deploying a rifle include, but are not limited to:

- Situations where the member reasonably anticipates an armed encounter.
- When a member is faced with a situation that may require accurate and effective fire at long range.
- Situations where a member reasonably expects the need to meet or exceed an armed person's firepower.
- When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.

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- When a member reasonably believes that a suspect may be wearing body armor.
- When authorized or requested by a supervisor.
- When needed to euthanize an animal.

Lifespan

Colt M4 6920 rifle- 20 years

Colt M4 6945 rifle- 15 years

Colt M4 6946 rifle- 15 years

Colt 901.308 rifle- 20 years

GA Precision GAP-10.308 Rifle- 10 years

Remington 700.308 Rifle- 15 years

Hornady duty ammunition- No expiration

Practice ammunition- No expiration

Fiscal Impact

Annual maintenance is approximately \$50 for each rifle.

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.

Legal and Procedural Rules

Use is established under [Policy 414 PP -3.05-A, \(Use of Force\)](#). Equipment is established under [Policy 413 PP -3.06-A, \(Firearms/Firearms Range -and- Ammunition \)](#). It is the policy of the Department to use rifles only for official law enforcement purposes, and pursuant to State and federal law regarding the use of force.

Breaching Tools: Tools that are used to conduct an explosive breach.

Description, quantity, capabilities, and purchase cost

DETONATING CORD, cost: \$1 per foot, quantity: 750 feet. 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.

BLASTING CAP, cost: \$12, quantity: 50. 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.

REMINGTON 870 BREACHING SHOTGUN, cost: \$500, quantity: 2. This pump-action shotgun allows for breachers to safely utilize shotgun breaching rounds in order to defeat deadbolts, locks and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of

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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.

REMINGTON 870P POLICE BREACHER, cost: \$1,200, quantity: 0. This pump-action shotgun allows for breachers to safely utilize shotgun breaching rounds in order to defeat 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. The overall length of this shotgun is reduced shorter than a standard 870 to aid in maneuvering in confined spaces. This system is to replace aging breaching shotguns.

ROYAL ARMS TESAR-2 BACK CAP 425 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 75. The round is fired from a breaching shotgun and is used to defeat deadbolts, locks and hinges.

ROYAL ARMS TESAR-3 GREEN CAP 375 GRAIN CLAYVON FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 10. The round is fired from a breaching shotgun and is used to defeat deadbolts, locks and hinges.

ROYAL ARMS TESAR-4 YELLOW CAP 750 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 0. The round is fired from a breaching shotgun and is used to defeat deadbolts, locks, and hinges.

ROYAL ARMS HP CUTTER 12 GAUGE HOLLOW POINT REBAR CUTTER BREACHING ROUND, cost: \$6 per round, quantity: 12. The round is fired from a breaching shotgun and is used to cut rebar, penetrate security glass, car doors, and can penetrate engine blocks.

ROYAL ARMS FB-82H 12-GAUGE 82 GRAIN FLASH BANG HARD BREACHING ROUND, cost: \$5 per round, quantity: 36. The rounds are fired from a breaching shotgun and is used as a diversionary round and can be used to break glass.

ROYAL ARMS MB-70S 12 GAUGE MUZZLE BLAST FLASH BANG SOFT BREACHING ROUND, cost: \$6 per round, quantity: 12. The round is fired from a breaching shotgun and is used as a diversionary round and can be used to break glass.

Purpose

To safely gain entry into a structure.

Authorized Use

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

Lifespan

Breaching Shotgun- 25 years

Blasting Caps- 10 years

Detonating cord- 10 years

Royal Arms Tesar-2 black cap 425 grain copper breaching round- 5 years

Royal Arms Tesar-3 green cap 375 grain clayvon frangible breaching round- 5 years

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Royal Arms Tesar-4 yellow cap 750 grain copper frangible breaching round- 5 years

Royal Arms HP cutter 12-gauge hollow point rebar cutter breaching round- 5 years

Royal Arms FB-82H 12-gauge 82 grain flash bang hard core breaching round- 5 years

Royal Arms MB-70S 12-gauge muzzle blast flash bang soft breaching round- 5 years

Fiscal Impact

Annual maintenance is approximately \$500.

Training

All officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations. Officers who use shotgun breaching shall attend a shotgun breaching training course.

810.12 COUNCIL ACTION

[2024 Annual Report and Reauthorization.](#)