

EXHIBIT A

Policy 706 – Military Equipment Use Policy

706.1 PURPOSE AND SCOPE

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

706.1.1 DEFINITIONS

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

Governing body – The City Council of the City of Rio Dell.

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

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

706.2 POLICY

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

706.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this Department to act as the military equipment coordinator. The Chief of Police may appoint himself/herself to serve in this role. The responsibilities of the military equipment coordinator include but are not limited to:

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

706.4 MILITARY EQUIPMENT INVENTORY

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

Specialized Firearms and Ammunition

Description, Quantity, Capabilities, and Purchase cost

The Carbine Rifle is a firearm capable of accurately stopping an armed subject at various ranges. The Carbine Rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon that fires a single shot with each pull of the trigger. The Carbine Rifle does not have an expiration date and will need to be serviced or replaced when the weapon becomes unserviceable. The .223/5.56mm cartridge is used as a lethal option

designed to stop violent encounters. The projectile is capable of defeating soft body armor being worn by armed and violent subjects

Rock River Arms LAR-15 – Purchase cost: \$1500 – Quantity: 2

Colt M4 Carbine – Purchase cost: \$4000 – Quantity: 4

PMC .223 55 grain ammunition – Purchase cost: \$1150 – Quantity: 2000 rounds

Purpose

To be used as a lethal weapon to address a threat with more precision and/or at greater distances than is possible with a handgun.

Authorized Use

Only Department members that are POST certified and authorized by the Chief may use carbine rifles while on patrol. All other Rio Dell Police Department policies, including but not limited to, Use of Force (RDPD Policy 300) and Firearms (RDPD Policy 306), remain in effect. In addition, Carbine Rifles and the corresponding ammunition may be used in training exercises as authorized by the Chief.

Expected Lifespan:

Carbine Rifles – No expiration

PMC ammunition – No expiration

Fiscal Impact

Carbine Rifles - \$0 - \$1500 annually

PMC .223 55 grain ammunition - \$200 - \$800 annually

Kinetic energy weapons and munitions.

Description, Quantity, Capabilities, and Purchase cost

The Bean Bag Shotgun is a Remington 870 shotgun with an orange stock and forearm. It is used to fire 12-gauge bean bag impact weapons from a safe distance.

Remington 870 Shotgun – Purchase Cost: \$500 – Quantity: 1

CTS Model 2581 Super Sock Bean Bag round – Purchase Cost: \$175 – Quantity: 25

Purpose

To limit the escalation of conflict where employment of lethal force is not allowed or is undesirable.

Authorized Use

The Bean Bag Shotgun is authorized for use in the following situations

Self-destructive, dangerous, and/or combative persons
Riot control and civil unrest incidents
Circumstances where a tactical advantage can be obtained
Potentially vicious animals
Training exercises or approved demonstrations

All other Rio Dell Police Department Policies, including but not limited to, Use of Force (RDPD Policy 300) and Control Devices and Techniques (RDPD Policy 303), remain in effect.

Expected Lifespan

Remington 870 shotgun – No expiration
CTS Model 2581 rounds – 5 years

Fiscal Impact

Remington 870 Shotgun – \$0 to \$500 annually
CTS Model 2581 rounds - \$0 to \$175 annually

706.5 APPROVAL

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

- a. Requesting military equipment made available pursuant to 10 USC § 2576a.
- b. Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- c. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- d. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this Department.
- e. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.

- f. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- g. Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment being used in this jurisdiction by members of the Rio Dell Police Department shall comply with the City of Rio Dell's approved military equipment policy. During times of mutual aid or when utilizing the Humboldt County Regional SWAT Team, allied agencies and their personnel should only use military equipment which is approved for use in the allied agencies' own military equipment policy. This shall not prevent Rio Dell Police Officers who are members of the Humboldt County Regional SWAT Team from deploying military equipment approved by the Humboldt County Sheriff's Department for use by Rio Dell Police Officers who are assigned to the SWAT Team. Nothing in this policy shall prohibit the use of unapproved military equipment by members of the Rio Dell Police Department or its allied agencies during times of exigent circumstances.

706.7 ANNUAL REPORT

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

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

706.8 COMMUNITY ENGAGEMENT

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