



BUTTE COUNTY SHERIFF'S OFFICE
Military Equipment Use Policy
(Rev. 04-22-22)

PURPOSE

This policy establishes guidelines for the acquisition, funding, use and reporting of "military equipment", as the term is defined in Government Code section 7070, which takes effect January 1, 2022.

This policy is intended to fulfill the obligations set forth in Assembly Bill No. 481 (2021-2022). These obligations include but are not limited to seeking approval on specific items deemed to be "military equipment" and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items. It should also be noted that some quantities and prices have been estimated.

While Government Code section 7070 classifies what constitutes "military equipment" for the purposes of this policy, it does not necessarily indicate the items originated from the military. The majority of the items listed herein have been procured by BCSO directly from private retailers, dealers or manufacturers and not through the Department of Defense Law Enforcement Support Office (LESO) / 1033 program. Qualifying items received through the LESO/1033 program have been identified. Furthermore, numerous items classified as "military equipment" by Government Code section 7070 are substantially similar to, or, in some cases, identical to items available for purchase by members of the public.

Except where otherwise expressly stated, the provisions of this policy shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this policy to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this office under the circumstances reasonably available at the time of any incident.

This policy shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials or members. Violations of any provision(s) contained within this policy shall only form the basis for office administrative action, training or discipline.

PROCEDURE

A. DEFINITIONS

1. Governing Body – The Butte County Board of Supervisors ("Board").
2. Military Equipment – Any of the items as defined by California Government Code section 7070, subsections (c)(1) through (c)(16).

B. GENERAL

1. In accordance with state law it is the policy of BCSO to obtain the approval of the governing body annually by an ordinance adopting a military equipment use policy at a regular meeting of the governing body prior to engaging in any of the following activities:
 - a. Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.
 - 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 territorial jurisdiction of the governing body.
 - 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 pursuant to general order.
 - 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.
2. In seeking the approval of a policy by the governing body, it is the policy of BCSO to submit a proposed military equipment use policy, or subsequent amendments, to the Board and the public via the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

C. MILITARY EQUIPMENT USE CONSIDERATIONS

1. The military equipment acquired and authorized by BCSO is:
 - a. Necessary because there is no reasonable alternative that can achieve the same objective of deputy and civilian safety.
 - b. Reasonably cost effective compared to available alternatives that can achieve the same objective of deputy and civilian safety.
2. It is the policy of BCSO that military equipment be used by employees only after applicable training, including any course required by the Commission on Peace Officer Standards and Training (POST), has been completed, unless exigent circumstances arise.

D. MILITARY EQUIPMENT REPORTING CONSIDERATIONS

1. It is the policy of BCSO to submit an annual military equipment report to the Board that addresses each type of military equipment possessed by the Office.
2. It is the policy of BCSO to also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use.
3. It is the policy of BCSO that the annual military equipment report, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:
 - a. A summary of how the military equipment was used and the purpose of its use.
 - b. A summary of any complaints or concerns received concerning the military equipment.

- c. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- d. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- e. The quantity possessed for each type of military equipment.
- f. The quantity sought for each type of military equipment.
 - i. Within 30 days of submitting and publicly releasing an annual military equipment report, it is the policy of BCSO to hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and BCSO's funding, acquisition, or use of military equipment. This may occur as a part of BCSO's presentation to the governing body.

E. CATALOGING OF MILITARY USE EQUIPMENT

It is the policy of BCSO that all military use equipment kept and maintained by BCSO be cataloged in a way which addresses each of the following requirements:

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

F. COMPLIANCE

1. BCSO's Training Unit and Internal Affairs Unit will ensure that all BCSO members comply with this policy. The Training Unit, along with representatives from management, SWAT and the Butte County Interagency Bomb Squad, will conduct an annual audit. The Sheriff or designee will be notified of any policy violations and, if needed, the violation(s) will be referred to the Internal Affairs Unit and handled accordingly. All instances of non-compliance will be reported to the Board via the annual military equipment report.
2. Any member of the public can register a question or concern regarding military use equipment by contacting BCSO via infosherriff@buttecounty.net. It is the policy of BCSO that a response be completed in a reasonably timely manner.
3. Any member of the public can submit a personnel complaint to BCSO as outlined in Lexipol Policy Manual 1007.

G. FUNDING

It is the policy of BCSO to obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body prior to seeking funds for military equipment.

H. MILITARY EQUIPMENT

1. **Unmanned Aircraft System (UAS) / Drones:** An unmanned aircraft along with the associated equipment necessary to control it remotely.

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

- i. BRINC LEMUR S DRONE BUNDLE, cost \$22,996 for 2*, quantity, 2.
The LEMUR S can enter structures, and effectively locate people inside homes, buildings, and vehicles. It features cameras, microphones and speakers which facilitates two-way communication between first responders and suspects or those who need help. During high risk situations it can provide law enforcement with a threat assessment and critical information about persons or suspects inside a building before officer entry. It features built in night-vision and IR illuminators. Also includes door pusher, glass breaker, multi-purpose dropper attachment. *Funded through donations.
- ii. PENDING ACQUISITION - AUTEL ROBOTICS EVO II DRONE BUNDLE, cost \$12,000 each, quantity, 2. Bundle contains the UAS, along with battery, spare parts, charging system and iPad controller.

The Autel EVO II Dual is Autel's commercial/enterprise platform within the EVO II series that features a FLIR Boson 640 thermal sensor along with an 8K/20MP visual sensor. These two sensors are housed in one 3-axis gimbal stabilized camera unit. Maximum flight time on the EVO II Dual is 40 minutes in forward flight, while you can expect about 35 minutes in hover flight.

FLIR Thermal + 8K Visible Sensor:

Collect two images sets at once with the use of both thermal and visible imagery.

Picture in Picture (PiP) Mode:

Overlay both your thermal and visible light data in one image with more detail.

40 Minute Max Flight Time:

Standard 7100 mAh rechargeable battery. Up to 35 minutes at a hover.

5.5 Mile Control Range:

Not all users will ever need to travel this far, but a longer range means a strong signal.

b. Purpose

To be deployed when its view would assist deputies or incident commanders with the following situations, which include but are not limited to:

- i. Search for missing persons.
- ii. Natural disaster response and management.
- iii. Crime scene photography.
- iv. SWAT, tactical or other public safety and life preservation missions.

c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to

operate any UAS during approved missions.

d. Expected Life Span

3-5 years.

e. Fiscal Impact

TBD

f. Training

All BCSO UAS operators will be licensed by the Federal Aviation Administration for UAS operation.

g. Legal and Procedural Rules

Use is established under BCSO Lexipol Policy Manual 604 and FAA Regulation 14 CFR Part 107. It is the policy of BCSO to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

2. **Robots:** A remotely-controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and deputies.

a. Description, quantity, capabilities, and purchase cost

i. REMOTEC ANDROS F6-A, cost, \$250,000, which was originally funded primarily through Department of Homeland Security grants, quantity, 1. The Remotec ANDROS F6A is a heavy-duty robot. It has stair climbing ability and an arm capable of lifting 65lbs. The F6A also offers multiple communications options, a chassis and manipulator that allow for accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.

ii. iROBOT PACKBOT, cost: \$0, quantity: 2.

The iRobot Packbot can be operated remotely from approximately 100 yards away, line of sight. The Packbot is equipped with a camera and manipulator arm. The small size of the Packbot makes it ideal for remotely operating in tight spaces or under vehicles. The Packbots were obtained through the LESO/1033 program for \$0, less shipping costs.

b. Purpose

To be used to remotely gain visual/audio data, deliver HNT phone, open doors, disrupt packages, and clear buildings without exposing personnel to high-risk situations, such as suspected explosive devices and barricaded subjects.

c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the robots. Use is established by a Certified Bomb Technician assigned to the Butte County Inter-Agency Bomb Squad and/or the Incident Commander.

d. Expected Life Span

All robots, 15+ years.

e. Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$1,500.

f. Training

All robot operators must complete regular training and demonstrate proficiency with the robots prior to use.

g. Legal and Procedural Rules

It is the policy of BCSO to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law. The Butte County Interagency Bomb Squad policy can be found in Lexipol Policy Manual 430.

3. Armored Vehicles: Mine-Resistant Ambush Protected Vehicle (MRAP) / armored personnel carrier.

a. Description, quantity, capabilities, and purchase cost

- i. BAE SYSTEMS CAIMAN CMTV wheeled armored vehicle (Sheriff's Rescue Vehicle or "SRV"), cost: \$0*, quantity: 1. An upgrade to the Caiman MRAP, the CMTV provides greater levels of survivability and mobility to navigate challenging and unpredictable environments. Caiman CMTV integrates new technology to ensure the large and armor-protected interior is optimal for a variety of missions including 10-person transport, a four litter ambulatory system with attendant and C2OTM (command and control on the move). The CMTV's armor can stop various projectiles, which provides greater safety to citizens and deputies beyond the protection level of shields and personal body armor. It can also traverse flooded terrain or difficult-to-access areas due to a high ground clearance. A Caiman CMTV normally costs in excess of \$400,000.00 to purchase. *BCSO's CMTV was acquired for \$0, less transportation costs, through the LESO / 1033 program.*
- ii. Lenco BEARCAT G2, cost \$216,801*, quantity: 1. A 4-wheeled armored vehicle based on a Ford F-550 chassis. Quantity: 1. The BEARCAT is stored and maintained by the Chico Police Department and made available for BCSO use on an as-needed basis. See Chico Police Department's policy for further details.

- On-Road & Urban Tactics
- Seats 10-12 Fully Equipped Officers
- 2-Door and 4-Door Variants Available
- Open floor plan allows for rescue of downed personnel

The Lenco BearCat G2 is the standard tactical armored vehicle for special operations units within the US Law Enforcement community. Since the early 2000s, agencies such as LAPD, LASD SEB, NYPD ESU, Boston PD and hundreds of Federal, State and Local Law Enforcement agencies have made the BearCat G2 part of their standard operating procedure. The G2 has excellent on-road driving characteristics and maneuverability in tight urban settings. The large floor plan seats 10 – 12 fully equipped officers with a long list of tactical features only found on the Lenco BearCat line of armored SWAT vehicles for Police and Government. The BearCat is equipped with emergency lights and a public address system. The BearCat can also be used to communicate with barricaded persons and deploy tear gas while minimizing exposure to dangerous situations and acts as a mobile shield to protect personnel during rescue or tactical operations.

*The previous BearCat, acquired in 2011 using Homeland Security funds, was destroyed by fire. The value of the current replacement is \$216,801.

b. Purpose

To be used in response to critical incidents to enhance deputy and community safety, improve scene containment and stabilization, to assist in resolving critical incidents, to assist the Butte County Interagency Bomb Squad and to rescue persons at risk or injured during critical incidents. The Caiman CMTV may also be used to response to natural disasters, including floods or other emergencies where a high ground clearance is required.

c. Authorized Use

The use of armored vehicles shall only be authorized by a division commander, SWAT team leader, SWAT team commander, or higher authority based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by deputies trained in their deployment and in a manner consistent with BCSO policy and training.

d. Lifespan

20 years

e. Fiscal Impact

Caiman CMTV - Annual maintenance cost of \$1700; BEARCAT G2 maintained by Chico Police Department.

f. Training

All driver/operators shall be properly licensed to operate the armored vehicle they are driving. For the Caiman CMTV, all drivers shall possess a valid Class A Driver's License.

g. Legal and Procedural Rules

Use of armored vehicles is established under Lexipol Policy Manual 403.10. It is the policy of BCSO to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

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

a. Description, quantity, capabilities, and purchase cost

- i. LRAD 100x Mag-HS Wireless Kit, cost, \$16,338, quantity: 1. 14 inch x 14 inch Taking advantage of its focused, directional sound pattern, optimized driver and waveguide technology, the 100X can penetrate buildings and vehicles to ensure communications are heard and understood. The warning tone provides a safer alternative to non-lethal measures and safely modifies behavior while creating additional time to scale the escalation of force if necessary. With an 8-hour rechargeable battery, optional power sources and water-resistant casing, the 100X creates an instant acoustic standoff perimeter, even through wind, engines, sirens, and noisy crowds. The 100X is easily operable with gloves or MOPP gear using the simple user interface.

b. Purpose

To be used to issue dispersal orders during crowd and riot control situations or to address the public in the event of civil emergencies, natural disasters, evacuations, and police incidents

(e.g., missing persons, perimeters for wanted suspects/ K9 deployments, negotiation with barricaded suspects, etc.). May also be used with a warning tone.

Authorized Use

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

d. Lifespan

10+ years.

e. Fiscal Impact

Annual maintenance cost of approximately \$100 annually.

f. Training

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

g. Legal and Procedural Rules

Use of the Crisis Negotiation Team is addressed in BCSO Lexipol Policy Manual 403. It is the policy of BCSO to utilize the LRAD only for official law enforcement purposes, and pursuant to State and Federal law.

5. 40 MM Launchers and Rounds: 40MM Launchers are utilized by BCSO personnel as a less lethal tool to launch impact and chemical agent rounds.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, #1425, cost: \$1000, quantity: 8 (*5 additional pending acquisition*). The 40MM Single Launcher is a tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less lethal round up to 131 feet and is only authorized to be used by trained personnel.
- ii. DEFENSE TECHNOLOGY, 40MM TACTICAL 6-SHOT LAUNCHER, #L640-1, cost: \$2905, quantity: 2. The 40mm Tactical 6-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder. It will launch a 40MM less lethal round up to 131 feet and are assigned for use by SWAT personnel.
- iii. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$18, quantity: 100. 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.
- iv. DEFENSE TECHNOLOGY, 40MM LIQUID CS BARRICADE PENETRATOR ROUND, #4330, cost: \$23, quantity: 100. A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance,

temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.

- v. DEFENSE TECHNOLOGY, 40MM POWDER CS BARRICADE PENETRATOR ROUND, #4331, cost: \$23, quantity 100. A less lethal 40 MM 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 40 MM Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- vi. DEFENSE TECHNOLOGY, 40 MM LIQUID OC BARRICADE PENETRATOR ROUND, #4340, cost \$22, quantity 25: A less lethal 40 MM 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 40 MM Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- vii. DEFENSE TECHNOLOGY, 40 MM POWDER OC BARRICADE PENETRATOR ROUND, #4341, cost \$22, quantity 25: A less lethal 40 MM 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 40 MM Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- viii. Direct Impact 40 mm crushable foam round, #6322, cost \$24, Quantity: 25 (Pending delivery). A less lethal 40 mm plastic body with a crushable blue foam nose containing a powder payload makes for a lightweight, high speed projectile. This munition is a point of aim, point to impact direct fire round that has passed extensive human effects assessments for blunt impact and penetration, most commonly used by tactical teams where greater accuracy and deliverable energy is needed for incapacitation of a non-compliant subject at longer distances. When it is loaded with agent, it combines blunt trauma with the effects of an irritant, which maximizes the potential for incapacitation.

b. Purpose

To bring under control, restrain or arrest an individual or groups of individuals who are engaging in, or are about to engage in violent behavior; for crowd control, crowd dispersal or against barricaded suspects based on the circumstances; to prevent the escalation of conflict.

c. Authorized Use

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

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

d. Training

Sworn personnel utilizing 40MM less lethal chemical agents or impact rounds shall be trained in their use by POST certified less lethal and chemical agents instructors.

e. Lifespan – All listed 40mm munitions - 5 years.

f. Fiscal Impact

Annual maintenance is approximately \$50 for each launcher.

g. Legal and Procedural Rules

Use is established under BCSO Lexipol Policy Manual 303. It is the policy of BCSO to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

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

a. Description, quantity, capabilities, and purchase cost

- i. REMINGTON 870 SHOTGUN (LESS LETHAL), cost: Varies – up to \$946, quantity: 44; 25 additional pending conversion from existing stocks. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between deputies and a suspect reducing the immediacy of the threat which is a principle of de-escalation.
- ii. 12-GAUGE SUPER-SOCK BEANBAG ROUND, cost: \$5, quantity: 1000. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). CTS Super-Sock rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by a contrasting-color stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Model 2581 Super-Sock is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to “unfold” or “stabilize.” The Super-Sock is an aerodynamic projectile. However, accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Super-Sock is very accurate. However, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.
- iii. DEFENSE TECHNOLOGY, FERRET 12-GAUGE LIQUID BARRICADE ROUND, CS, #3012, cost: \$8, quantity: 25. The Ferret 12-Gauge Liquid CS non pyrotechnical properties also eliminate the fire hazard common with other products. The Ferret round is available with either liquid or powder carriers for the agent. These munitions are a 2.5 in. 12-Gauge round deploying .025 oz. of active agent.

b. Purpose

To bring under control, restrain or arrest an individual or groups of individuals who are engaging in, or are about to engage in violent behavior; to prevent the escalation of conflict.

c. Authorized Use

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

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

d. Lifespan

Remington 870 Less Lethal Shotgun- 15+ years.

Super Sock Round- No listed expiration date.

Defense Technology Ferret 12-Gauge Liquid Barricade Round- 5 years.

e. Fiscal Impact

Annual maintenance is approximately \$50 for each shotgun.

f. Training

Deputies who are trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training may deploy the devices. SWAT personnel receive additional and ongoing training internally.

g. Legal and Procedural Rules

Use is established under BCSO Lexipol Policy Manual 303; 303.9. It is the policy of BCSO to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

7. **Combined Systems LC5 40MM Launching Cup:** Cups that attaches to 12 gauge less lethal shotguns which allow deputies to launch canisters of chemical agents or smoke.

a. Description, quantity, capabilities, and purchase cost

COMBINED SYSTEMS LC5 40MM LAUNCHING CUP, cost: \$302, quantity: 2. The LC5 Launching Cups are designed for the 5200 series grenades. The cups can be attached to virtually any 12ga shotgun and the munition launched with our model 2600 launching cartridge.

b. Purpose

To assist with bringing under control, restraining or arresting an individual or groups of individuals who are engaging in, or are about to engage in violent behavior; for crowd control, crowd dispersal or against barricaded suspects based on the circumstances; to prevent the escalation of conflict.

c. Authorized Use

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

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.

- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.
- d. Lifespan
Combined Systems LC5 40MM Launching Cup- 15+ years
- e. Fiscal Impact
No annual maintenance.
- f. Training
Launching cups are used by SWAT members who have received training from POST-certified chemical agent instructors.
- g. Legal and Procedural Rules
Use is established under BCSO Lexipol Policy Manual 303; 303.6. It is the policy of BCSO to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

8. Distraction Devices / flash-bangs: A device used to distract dangerous persons.

- a. Description, quantity, capabilities, and purchase cost
 - i. COMBINED TACTICAL SYSTEMS, 7290-9 FLASH-BANG, cost: \$118, quantity: 21.
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.
 - ii. COMBINED TACTICAL SYSTEMS, 7290 FLASH-BANG, cost: \$52, quantity: 14. The 7290 is the standard for diversionary flash-bang devices. The patented design incorporated a porting system that eliminates movement of the body at deflagration even if the top or bottom of the device should be in contact with a hard surface. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
 - iii. COMBINED TACTICAL SYSTEMS, 7290M MINI FLASH-BANG, cost: \$38, quantity: 22. The 7290M Flash-Bang exhibits all the same attributes of its larger counterpart but in a smaller and lighter package. Weighing in at just 15 ounces the new 7290M is approximately 30% lighter than the 7290 but still has the same 175db output of the 7290 and produces 6-8 million candelas of light.
- b. Purpose
A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give deputies a tactical advantage.
- c. Authorized Use
Diversionary Devices shall only be used:
 - i. By deputies who have been trained in their proper use.
 - ii. In hostage and barricaded subject situations.
 - iii. In high-risk warrant (search/arrest) services where there may be extreme hazards to deputies.
 - iv. During other high-risk situations where their use would enhance officer safety.
 - v. During training exercises.
- d. Lifespan

Until used.

e. Fiscal Impact

No annual maintenance.

f. Training

Prior to use, deputies must attend diversion device training that is conducted by POST-certified instructors.

g. Legal and Procedural Rules

It is the policy of BCSO to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

9. **“Specialized” Firearms and Ammunition:** Firearms and ammunition which are not standard-issue.

a. Description, quantity, capabilities, and purchase cost

- i. GA PRECISION GAP-10 G2, cost: \$3500 approx., quantity, 4. An AR-10 style rifle. Super Accurate Semi-Auto-- Upper, Lower, and Handguard manufactured for GAP by Seekins Precision. These rifles are chambered in .308 / 7.62 mm, are semi-automatic and have 18-inch Bartlein barrels. These rifles are standard-issue to qualified BCSO SWAT snipers and primarily used in an overwatch capacity.
- ii. REMINGTON Model 700 LTR bolt-action rifles, cost: \$1000 approx., quantity: 3. These rifles are chambered in .308 / 7.62mm and have 20-inch barrels. These rifles may be issued to qualified SWAT sniper/observers and used in an overwatch capacity.
- iii. FNH FN16, cost, \$1071, quantity, 17. An AR-15 style rifle, 11.5” barrel. 5.56mm/.223 cal. The family of carbines, specifically developed with law enforcement officers’ needs in mind, offer lightweight designs with extended hand guards maximizing top rail space with multiple M-LOK slots and QD points for maximum configurability. Chambered in the battle-proven 5.56x45mm, these carbines offer high capacity and accuracy in every mission. Rifles in this configuration are current standard-issue to BCSO SWAT operators.
- iv. HK UMP 45, cost \$1500 approx., quantity 10, chambered in .45 ACP, 7.8” barrel. With the UMP, Heckler & Koch has developed a versatile submachine gun the likes of which did not exist before on the world market. A weapon that can cover three calibres simply by exchanging a few assemblies: 9 mm x 19, .40 S&W and .45 ACP. The UMP combines top-rate performance with simple handling and high safety standards. The modular fibre-reinforced polymer receiver guarantees the necessary ruggedness with minimized overall weight. As a typical member of the HK family of weapons, the UMP is a highly-effective, economical alternative for military and law enforcement applications. Note: The UMP was standard-issue for many BCSO SWAT operators around 2002. Due to age, 7 of BCSO’s 10 UMP 45’s are unissued and pending removal from departmental stocks, however nothing in this policy prohibits the reissue of one or more of these firearms. The 7 SWAT-issued UMP’s were purchased over 15 years ago and phased out over the past 5 years. The remaining 3 are currently issued to the Special Enforcement Unit.
- v. HK G36K, cost \$1500-\$2000 approx., quantity, 3. 12.5” barrel length. Chambered in 5.56x45mm/.223 cal. Enhanced mobility. The compact version for the unit’s specialists. Extremely efficient, with all of the capabilities of an assault rifle at short and medium ranges. Optimally suited for use in cramped areas. Note: The G36K was a standard-issue rifle option for some SWAT operators around 2002. Due to age, BCSO’s G36K’s are unissued and pending removal from departmental stocks. These

- were purchased over 15 years ago and phased out over the past 5 years. However, nothing in this policy prohibits the reissue of one or more of these firearms.
- vi. Colt M16A1, cost \$0, quantity 73 total, 52 issued. Obtained at no cost, less shipping, from LESO/1033 program. Chambered in 5.56mm/.223 cal. Most have been converted to standard issue semi-automatic configuration and retrofitted with modern parts at a cost of \$500+/- per rifle. These represent one of several makes/models of standard-issue 5.56mm/.223 caliber rifles for deputies. Other makes and models of standard-issue AR-15 style rifles include, but are not limited to, the FNH FN15 and Ruger AR-556.
 - vii. Colt SMG, cost \$1000 approx., quantity, 1, chambered in 9mm, may be department configured in both select-fire and semi-automatic. The Colt 9mm Submachine Gun (SMG) is exceptionally well suited for military, paramilitary, and Law Enforcement organizations requiring a lightweight, compact, highly concealable, select fire weapon system for close confrontations. The Colt SMG is constructed with a modular rail system that allows the easy mounting of ancillary devices, fires from a closed bolt, is equipped with a collapsible buttstock, and is easily field stripped without the need of any special tools. The straight-line construction, coupled with the low recoil of 9mm ammunition, provides highly accurate fire with less muzzle climb, especially in full automatic fire. Less recoil also facilitates ease of training and improves accuracy. Finally, operation and training for the Colt 9mm SMG is similar to that for the Colt M16A2/A4 Rifle, Colt M4 Carbine or Colt Commando Carbine, simplifying user training substantially. The Colt SMG has been previously been issued to SWAT operators (select fire), and K-9 handlers (semi-automatic).
 - viii. Olympic Arms/Dalphon SMG, cost, \$600-\$1000 approx., quantity 12, AR-15 style rifles in various configurations. 3 of the 12 are currently issued. The remainder are pending removal from departmental stocks due to age. These were standard-issue for BCSO SWAT approximately 20+ years ago. However, nothing in this policy prohibits the reissue of one or more of these firearms.
 - ix. FEDERAL GOLD MEDAL .308 168GR and 175GR RIFLE ROUNDS, cost: \$415 per case of 500, quantity: 5 cases total. The Federal Gold Medal .308 Winchester ammunition is new production ammo that features a 168 or 175 Grain Sierra MatchKing Hollow Point Boat Tail bullet, a non-corrosive boxer primer and the .308 Winchester ammunition is brand new never fired virgin brass casing that can be reloaded up to seven times for those shooters that reload their .308 Winchester ammunition. Sierra MatchKing Boat-tail bullet with Federal's proprietary delivery system. This ammunition is commercially available.
 - x. FEDERAL TACTICAL BONDED TIP .308 168GR RIFLE ROUND, cost: \$304 per case of 200, quantity: 7 cases. Designed to defeat the toughest barriers with minimal deflection, Tactical® Bonded Tip™ has quickly become the choice for some of the most intense conditions. The .308 Win. Tactical Bonded Tip achieves accuracy and terminal performance unmatched by other ammunitions. This ammunition is commercially available.
 - xi. FEDERAL TACTICAL TIP MATCHKING 168GR RIFLE ROUND, cost: \$425 per case of 500, quantity: 4 cases. Custom made for your Urban Rifle, Tactical TRU was specifically designed for use in semi-automatic rifles or "Urban Rifles," such as variants of the M-16 or AR-15. TRU bullets are specifically engineered, ranging from fragmenting designs for tactical entry to deeper penetrating bullets for patrol. This is particularly important in today's urban settings. This ammunition is commercially available.
 - xii. RUAG SWISS P STYX ACTION .308 167GR RIFLE ROUND, cost: \$365 per case of 200, quantity: 4.5 cases. The hyper expanding hollow point bullet immediately deposits its energy within a very short distance providing excellent stopping power on soft

targets and is direction stable. The sophisticated bullet tip provides an absolutely reliable hyper expansion to approximately the double of its original diameter. Tight production tolerances and small production batches ensure constant ballistic values and stringent quality controls guarantee identical trajectory from batch to batch.

- xiii. RUAG SWISS P TACTICAL .308 163GR RIFLE ROUND, cost \$600 per case of 200, quantity: 1.5 cases. The challenge is to accurately hit targets behind an angled window or wind shield without the risk of unpredictable bullet deflection. This could endanger bystanders, especially if the shooting line is not perpendicular to the window. Conventional bullets break apart or fragment when penetrating glass which makes accurate shooting impossible. At least 90% of the residual body of the SWISS P Tactical bullet stays intact and it does not fragment at all. Tight production tolerances and small production batches ensure constant ballistic values and stringent quality controls guarantee identical trajectory from batch to batch.
- xiv. RUAG SWISS P AMOUR PIERCING .308 196GR RIFLE ROUND, cost: \$1282 per case of 200, quantity: 2.5 cases. The tungsten carbide core is much harder and more ductile than most targets which makes it unstoppable for light armour. Because the core does not break apart during penetration it transfers outstanding residual energy to the target. Using only high quality raw materials and producing within tight tolerances ensure an identical point of impact from batch to batch.

b. Purpose

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun; to defeat body armor; to meet or exceed a suspect's firepower in situations; to be used when personnel reasonably anticipate an armed encounter; to be used when a suspect is barricaded or a hostage has been taken. See BCSO Lexipol Policy 306.3.3.

c. Authorized Use

Only personnel who are received the required POST-approved training course regarding the use of rifles are permitted to carry and deploy them. 5.56mm/.223 cal AR-15 style rifles are standard issue for deputy sheriffs.

d. Lifespan

The lifespan of individual firearms greatly varies depending on a wide range of factors, including assignment and associated frequency of training. For example, SWAT operators train more frequently than other units, and thus the useful lifespan of their equipment is often reduced. The following are estimated lifespans:

Firearms: 5-15+ years.

Ammunition – No expiration.

e. Fiscal Impact

Annual maintenance varies greatly depending on use and rifle type, generally \$50 or less per rifle; semi-automatic .308 rifles estimated at \$100-\$200 per rifle.

f. Training

Prior to carrying any rifle on duty, personnel must be certified by POST instructors pursuant to POST Commission Regulation 1081 (a 16-hour rifle course). All personnel that are authorized to carry a rifle on duty are required to pass regular range qualifications. Furthermore, all personnel that are authorized to carry and deploy a .308 caliber rifle must have successfully

completed a POST approved basic sniper/observer course (40 hours) and be assigned with the SWAT team.

g. Legal and Procedural Rules

Patrol rifle use is established under Lexipol Policy 306.3.3. It is the policy of BCSO to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

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

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE GRENADE, CS, #1082, cost: \$27, quantity: 5. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations 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 grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
- ii. DEFENSE TECHNOLOGY, CS BAFFLED CANISTER GRENADE, #5230b, cost: \$38, quantity: 49, The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure. The Tri-Chamber Flameless Grenade is NOT to be launched utilizing a launching cup.
- iii. DEFENSE TECHNOLOGY, MAXIMUM HC SMOKE MILITARY-STYLE CANISTER, #1083, cost: \$38, quantity: 24. The Military-Style Maximum Smoke Grenade comes from the Defense Technology #3 smoke grenade. It is a slow burning, high volume, continuous discharge grenade designed for outdoor use in crowd management situations. Emits grey-white smoke only for approximately 1.5 to 2 minutes.
- iv. DEFENSE TECHNOLOGY, OUTDOOR TACTICAL GRENADE CS, #8320, cost \$33, quantity 12, The smallest diameter burning grenade that discharges a high volume of smoke and chemical agent through multiple emission ports. Specifically for outdoor use and it should not be deployed on rooftops, in crawl spaces or indoors due to fire producing capability. Can be hand thrown or launched.

b. Purpose

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

- i. Self-destructive, dangerous and/or combative individuals.
 - ii. Riot/crowd control and civil unrest incidents.
 - iii. Circumstances where a tactical advantage can be obtained.
 - iv. Potentially vicious animals.
 - v. Training exercises or approved demonstrations.
- c. Authorized Use
Only personnel who have received POST certification in the use chemical agents are authorized to use chemical agents.
- d. Training
Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agents instructors.
- e. Lifespan
5 years from manufacturing date.
- f. Fiscal Impact
No annual maintenance.
- g. Legal and Procedural Rules
Use is established under the BCSO Lexipol Policy 303. It is the policy of BCSO to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

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

- a. Description, quantity, capabilities, and purchase cost
- i. REMINGTON 870 SUPER SHORT BREACHING SHOTGUN, cost: \$900, quantity: 1. This weapon allows for breachers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. This weapon can also defeat windows and sliding glass doors with a flash bang round.
 - ii. REMINGTON 870 EXPRESS BREACHING SHOTGUN, cost: \$142 to convert one existing shotgun, the second converted without cost, quantity: 2. This weapon allows for breachers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round.
 - iii. ROYAL ARMS TESAR-4 YELLOW CAP 750 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 106. The round is fired from a breaching shotgun and is used to destroy deadbolts, locks, and hinges.
 - iv. *PENDING ACQUISITION* ROYAL ARMS FB-82H 12-GAUGE 82 GRAIN FLASH BANG HARD BREACHING ROUND, cost: \$5 per round, quantity: 100 TBA. The rounds are fired from a breaching shotgun and is used as a diversionary round and can be used to break glass.
- b. Purpose
To safely gain entry into a structure.

- c. Authorized Use
Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander, and/or Butte County Interagency Bomb Squad commander, and during training exercises.
- d. Lifespan
Breaching Shotgun- 10+ years

Royal Arms Tesar-4 yellow cap 750 grain copper frangible breaching round- 10 years

Royal Arms FB-82H 12-gauge 82 grain flash bang hard core breaching round- 10 years
- e. Fiscal Impact
Annual maintenance is approximately \$25.
- f. Training
Only deputies assigned to SWAT who have received POST-approved shotgun breaching training may carry and use a breaching shotgun.

Only personnel assigned to the Butte County Interagency Bomb Squad may use breaching explosives as described in this policy. The Bomb Squad policy referenced below, outlines the training and selection requirements in more details.
- g. Legal and Procedural Rules
It is the policy of the BCSO to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law. The Butte County Interagency Bomb Squad policy can be found in Lexipol Policy Manual 430.

12. PepperBall System: A compressed air launcher (similar to a paintball gun), which delivers plastic spheres, which may contain Oleoresin Capsicum (OC) - the active ingredient in “pepper spray”.

A PepperBall System consists of a compressed-air (or carbon dioxide) launching device that delivers .68 caliber plastic sphere projectiles filled with either: water, dye marker, a solid core, or powdered or liquid 5% Oleoresin Capsicum (OC). The OC projectiles burst on impact and release the powder or liquid that is intended to subdue suspects by inflaming the mucous membrane in the nose, lungs and respiratory tract (resulting in coughing, shortness of breath and involuntary closing of the eyes). Response to inhaling PepperBall OC varies greatly among individuals. In most cases, the symptoms last for five to twenty-five minutes. Inert projectiles are intended to foster (pain) compliance to orders given by peace officers. The PepperBall System can deliver projectiles with enough kinetic energy to produce temporary abrasions, bruises, and/or welts. The PepperBall System is considered non-deadly force by its manufacturer.

- a. Description, quantity, capabilities, and purchase cost
 - i. PepperBall 2013 CUSTOM CARBINE SX, quantity 3. Semi-automatic launcher that is target accurate at 60 feet, area saturation with pepper agent to 150 feet. No longer in production - current replacement model is the PepperBall FTC, cost is \$537. The FTC is a high-capacity, semi-automatic launcher with a hopper than can hold up to 180 rounds. It has a less intimidating appearance and is an extremely versatile tool that can be useful in a variety of less lethal scenarios.

- ii. PepperBall INERT PROJECTILE, cost: \$300 per 375 Ct, quantity, 150. Annual use averages four jars per year for jail operations and training. The inert projectile contains no PAVA pepper powder, only scented inert powder. Used for direct impact and training/qualification.
- iii. PepperBall LIVE PROJECTILE, cost: \$250 per 90 Ct, quantity, 90. Replace upon expiration. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 0.5% PAVA Powder.
- iv. PepperBall LIVE-X PROJECTILE, cost: \$322 per 90 Ct, quantity, 90. Replace upon expiration. The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 5% PAVA Powder.

b. Purpose

To bring under control, restrain or arrest an individual or groups of individuals who are engaging in, or are about to engage in violent behavior; to prevent the escalation of conflict. Situations for use of the less lethal weapon systems may include but, are not limited to:

- i. Barricaded inmates.
- ii. High risk housing unit entry where multiple inmates refuse to lock down.
- iii. Riot.
- iv. Inmates who refuse to exit their cells. The use of the PepperBall System under this circumstance can be less violent and subsequently result in less or no injuries to Staff or inmates
- v. Where in the authorizing person deems the use of the PepperBall System would safely resolve the incident.
- vi. Training exercises.

c. Authorized Use

Only those deputies who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.

d. Training

Deputies utilizing PepperBall launchers and projectiles are trained in their use by certified PepperBall instructors.

e. Lifespan

- i. PepperBall SX Custom Carbine- 20 years
- ii. PepperBall Inert Projectile - No expiration
- iii. PepperBall Live Projectile- 3 years
- iv. PepperBall Live-X Projectile- 3 years

f. Fiscal impact

Annual maintenance is approximately \$50 or less for each PepperBall launcher.

g. Legal and Procedural Rules

Use is established under BCSO Lexipol Policy Manual 303.7.2. It is the policy of BCSO to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

I. MAINTENANCE OF SUPPLY LEVELS

In order to maintain the essential operational needs of the Sheriff's Office, when stocks of the equipment as defined herein have reached significantly low levels, or when substantial supply shortages or delays are reasonably expected for necessary future acquisitions, or when equipment has been damaged, destroyed or otherwise rendered inoperable, upon approval from the Sheriff or designee, the Sheriff's Office may acquire additional equipment, stocks, and/ or replace the necessary equipment with items that are either the same or substantially similar to the items described within this policy without further Board approval. Any qualifying replacements or additional items and supply stocks acquired under this section will appear on the following year's annual report, policy and/or inventory which will be presented to the Board.

J. COORDINATION WITH OTHER JURISDICTIONS

BCSO may coordinate with other jurisdictions, including when such coordination involves the deployment of military equipment. Military equipment used by any member of this Office shall be within accordance with this policy, regardless of where deployed. Other agencies using military equipment that are providing mutual aid to this Office, or otherwise engaged in law enforcement operations in this jurisdiction, are expected comply with their respective military equipment use policies in rendering mutual aid or operating in this jurisdiction.