

ORDINANCE NO. 2387

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF ARCADIA, CALIFORNIA ADOPTING A MILITARY EQUIPMENT
USE POLICY PURSUANT TO ASSEMBLY BILL 481

WHEREAS, on September 30, 2021, Governor Newsom signed Assembly Bill 481 ("AB 481") into law which requires law enforcement agencies to adopt a military equipment use policy ("Policy") prior to taking certain actions relating to the funding, acquisition, or use of military equipment as defined by the law; and

WHEREAS, AB 481 requires adoption of the Policy by City Council before the law enforcement agency can take action to request military equipment as defined by the statute; seek funds (such as grants or in-kind donations) for acquiring military equipment; actually acquire military equipment, either permanently or temporarily by owning, borrowing, or leasing; collaborate with other law enforcement agencies to deploy or use military equipment in the agency's territorial jurisdiction; use new or existing military equipment in a manner not previously subject to AB 481's scope; solicit or respond to a proposal for, or enter into an agreement with, any person or entity to seek funds for, apply for, acquire, use, or collaborate in using military equipment; or to acquire military equipment through any other means not specifically detailed in the statute; and

WHEREAS, to continue to use military equipment acquired prior to January 1, 2022, the law enforcement agency must commence the process of adopting the Policy no later than May 1, 2022; and

WHEREAS, in accordance with AB 481, the proposed Policy was made available on the website of the Arcadia Police Department ("Police Department") at least 30 days prior to the public hearing by the City Council to adopt the Policy; and

WHEREAS, once adopted, the Policy will be made publicly available on the Police Department's website for as long as the covered military equipment is available for use; and

WHEREAS, in accordance with AB 481, the Policy is being agendized as an open session item at a regular meeting of the City Council, and public comment on the item will be allowed in accordance with the Brown Act; and

WHEREAS, this Ordinance shall be reviewed by the City Council at least annually, and based on an annual military equipment report that will be submitted to the City Council pursuant to AB 481, the City Council shall determine whether each type of military equipment identified in the report has complied with the standards for continued approval.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and are hereby incorporated and adopted as findings of this Ordinance as if fully set forth herein.

SECTION 2. Findings. Pursuant to Government Code section 7071(d)(1), as may be amended or renumbered from time to time, the City Council hereby makes the following findings in support of its adoption of the Policy:

A. The military equipment identified in the Policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

B. The proposed Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

C. If the Police Department purchases military equipment pursuant to the Policy, the equipment 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 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.

SECTION 3. Military Equipment Use Policy Adopted. In light of the findings in Section 2, and in accordance with AB 481, the Policy attached to this Ordinance as Exhibit "A" is hereby adopted by the City Council.

SECTION 4. Severability. Each of the provisions of this Ordinance is severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 6. The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary or ¼ page advertisement of the same to be published at least once in

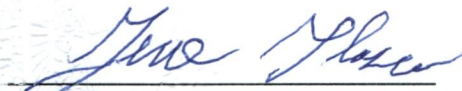
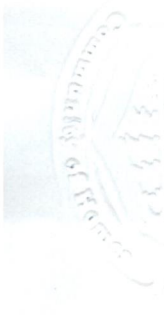
the official newspaper of the City within fifteen (15) days after its adoption. This Ordinance shall take effect on the thirty-first (31st) day after its adoption.

Passed, approved and adopted this 19th day of April, 2022.



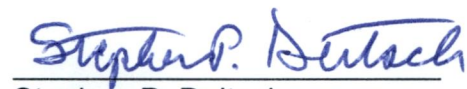
Mayor of the City of Arcadia

ATTEST:



City Clerk

APPROVED AS TO FORM:



Stephen P. Deitsch
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF ARCADIA)

I, GENE GLASCO, City Clerk of the City of Arcadia, hereby certifies that the foregoing Ordinance No. 2387 was passed and adopted by the City Council of the City of Arcadia, signed by the Mayor and attested to by the City Clerk at a regular meeting of said Council held on the 19th day of April, 2022 and that said Ordinance was adopted by the following vote, to wit:

AYES: Danielson, Tay, Verlato, Cheng, and Beck

NOES: None

ABSENT: None



City Clerk of the City of Arcadia

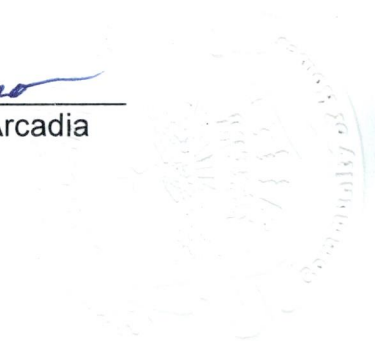


Exhibit - "A"

Military Equipment Use Policy

[Attached behind this page]

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MILITARY EQUIPMENT

708.1 PURPOSE AND SCOPE

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

708.1.1 DEFINITIONS

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

Governing body — City of Arcadia City Council ("City Council").

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

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

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- Kinetic energy weapons and munitions.
- Any other equipment as determined by City Council or a state agency to require additional oversight.

708.2 POLICY

It is the Policy of the City of Arcadia (“City”) that members of the Arcadia Police Department (“Department”) comply with the provisions of AB 481 with respect to the funding, acquisition and use of military equipment.

708.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police shall designate a member of the Department to act as the Military Equipment Coordinator. The responsibilities of the Military Equipment Coordinator include but are not limited to:

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

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708.4 MILITARY EQUIPMENT INVENTORY

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

708.4.1 ROBOT

An unmanned machine operating on the ground utilized to enhance the safety of the community and officers.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

1. Description: The Robotex Avatar III ("Avatar III") is a remote controlled, tracked, unmanned device used to surveil an area or building before officers enter it.
 2. Quantity: One (1).
 3. Capabilities: The Avatar III is equipped with a camera that provides a real time view of its surroundings, it has a two-way communication system that allows officers to communicate with subjects/suspects remotely, and an articulating arm that allows it to open doors and move objects.
 4. Purchase Cost: The Avatar III was purchased in 2019 for \$46,000.
- (b) Purpose: The Avatar III enhances the capabilities of officers in tactical situations by allowing them to inspect dangerous situations and communicate with the subjects/ suspects from a safe distance quickly and safely.
 - (c) Authorized Use: Only officers who have completed training shall be permitted to operate the robot. Deployment of the robot will be authorized by the Incident or Tactical Commander.
 - (d) Expected Life Span: 8-10 years.
 - (e) Fiscal Impact: Annual maintenance and battery replacement cost is approximately \$200.
 - (f) Training: All robot operators must complete three (3) hours of training provided by the S.W.A.T. team.
 - (g) Legal and Procedural Rules: The Avatar III will only be deployed with the authorization of the Incident or Tactical Commander and will only be deployed for official law enforcement purposes. in a manner that respects the privacy of our community and complies with State and Federal Law.

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708.4.2 MM LAUNCHERS AND ROUNDS

40MM Launchers are utilized by Department personnel as a less lethal tool to launch impact rounds.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

1. Description: Defense Technology. 40MM Exact Impact Sponge.
2. Quantity: 520.
3. Capabilities: A less lethal 40MM lightweight plastic and foam projectile fired from a single shot 40MM launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/lbs of energy upon 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 125 feet from the target.
4. Purchase Cost: \$18 each.

Item No. 2

1. Description: Defense Technology, 40MM Direct Impact OC.
2. Quantity: 140.
3. Capabilities: A less lethal 40MM lightweight plastic foam projectile fired from a single shot 40MM launcher with a rifled barrel at 295 FPS. The 39-gram foam projectile delivers 120 ft/lbs of energy upon impact in addition to the dispersion of 5 grams of OC irritant. The 40MM Direct Impact OC Round provides accurate and effective performance when deployed from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
4. Purchase Cost: \$30 each.

Item No. 3

1. Description: Defense Technology, Ferret 40MM Liquid Barricade Penetrator Round.
2. Quantity: 76.
3. Capabilities: A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impacting

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the barrier, the nose cone ruptures and instantaneously delivers a small amount of chemical agent 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 temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.

4. Purchase Cost: \$23 each.

Item No. 4

1. Description: Defense Technology, 40MM Round Muzzle Blast with C5.
2. Quantity: 22.
3. Capabilities: The 40MM Muzzle Blast OC Round is a less lethal option for the immediate and close deployment of chemical agent. It can also be employed in tactical operations such as barricaded subjects for area denial, area contamination, and a means of contaminating crawl spaces and attics. It can be deployed inside or outside and has a maximum effective range of 30 feet.

4. Purchase Cost: \$28 each.

- (b) Purpose: To limit the escalation of conflict and to decrease the potential use of lethal force.
- (c) Authorized Use: Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
- (d) Expected Life Span: 15 years.
- (e) Fiscal Impact: Annual maintenance is approximately \$10 for each launcher.
- (f) Training: Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by P.O.S.T. certified less lethal and chemical agent instructors.
- (g) Legal and Procedural Use: Officers will deploy 40MM impact and chemical agents in compliance with Arcadia Police Manual section 300 and in compliance with State and Federal Law regarding the use of force.

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708.4.3 COMBINED SYSTEMS LC5 40MM LAUNCHING CUP

The combined systems LC5 40MM launching cups are cups that attach to 12-gauge less lethal shotguns which allow officers to launch canisters of chemical agents or smoke.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

1. Description: Combined Systems LC5 40MM Launching Cup.
 2. Quantity: Two (E),
 3. Capabilities: The cups can be attached to a 12-gauge shotgun and the munition is launched with a model 2800 launching cartridge.
 4. Purchase Cost: \$150 each.
- (b) Purpose: To deploy chemical agents into an area or location from a distance.
- (c) Authorized Use: Situations for use of the less lethal weapon systems may include but are not limited to dangerous and/or combative individuals. Riot/crowd control and civil unrest incidents. Circumstances where a tactical advantage can be obtained by the use of chemical agent, and potentially vicious animals.
- (d) Expected Lifespan: 25 years.
- (e) Fiscal Impact: No annual maintenance.
- (f) Training: Sworn members utilizing LC5 40MM launching cups are trained in their use by P.O.S.T. certified less lethal and chemical agent instructors.
- (g) Legal and Procedural Use: Only fully trained S.W.A.T. Operators will deploy LC5 40MM Launching Cup, in compliance with Arcadia Police Manual section 300 and in compliance with State and Federal Law regarding the use of force.

708.4.4 DISTRACTION DEVICE

A distraction device is used to distract dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

1. Description: Defense Technologies Low Roll DD.
2. Quantity: 12.

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3. Capabilities: A non-bursting, non-fragmenting single use device that produces a loud sound and bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
4. Cost: \$50 each.

Item No. 2

1. Description: ALS1208 Bore Thunder.
 2. Quantity: 12.
 3. Capabilities: The ALS1208 Bore Thunder is a 12-gauge barrel delivered light and sound distraction device that produces approximately 174 dB at five (5) feet. Because the Bore Thunder remains in the delivery device, the potential for accidental fire or unintended injury is drastically reduced.
 4. Purchase Cost: \$6.80 each.
- (b) Purpose: To produce brilliant light and loud sound to momentarily distract a suspect or subject (6-8 seconds), to enhance the officers' ability to safely contact and detain or arrest.
 - (c) Authorized Use: Diversionary devices shall only be used by S.W.A.T. Operators who have been trained in their proper use during hostage and barricaded subject situations, high-risk warrant (search/arrest) services where there may be extreme hazards to officers, or during other high-risk situations where their use would enhance officer and community safety.
 - (d) Expected Lifespan: Until used.
 - (e) Fiscal Impact: No annual maintenance.
 - (f) Training: Prior to use, S.W.A.T. Operators must attend diversionary device training that is conducted by P.O.S.T. certified instructors.
 - (g) Legal and Procedural Rules Use: The Department will only utilize diversion devices for official law enforcement purposes, pursuant to State and Federal law regarding the use of force.

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708.4.5 RIFLES

Firearms that are fired from the from the shoulder, having a long spiral grooved barrel to make bullets spin and thereby have greater accuracy over a long distance.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

1. Description: Colt M4 Commando.223 carbine converted from fully automatic to semi-automatic.
2. Quantity: 107.
3. Capabilities: To provide precision fire to address a threat with more accuracy than a handgun, particularly at greater distances.
4. Purchase Cost: \$750 each.

Item No. 2

1. Description: Peer LE Gold Dot.223 Rem 55 grain ammunition.
2. Quantity: 120,000 rounds.
3. Purchase Cost: \$600 per 1000 rounds.

Item No. 3

1. Description: Black Hills.308 STX Copper 168 grain STX ammunition.
2. Quantity: 1000 rounds.
3. Purchase Cost: \$2,300.

Item No. 4

1. Description: Colt Automatic Rifle (AR) .223.
2. Quantity: 1
3. Purchase Cost: \$1400.00.

- (b) Purpose: To be used as precision weapons to address a threat with more accuracy than a handgun, particularly at greater distances. The AR is an area denial and material destruction weapon.
- (c) Authorized Use: Only members who have completed P.O.S.T. certified training are authorized to deploy a rifle.

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- (d) Expected Lifespan: 10 years.
- (e) Fiscal Impact: Annual maintenance is approximately \$50 for each rifle.
- (f) Training: Prior to using a rifle, Officers must be certified by a P.O.S.T. instructor in the operation of the rifle. Additionally, all members that operate the rifle are required to train with it a minimum of three (3) times a year and must pass an annual range qualification.
- (g) Legal and Procedural Rules Use: Officers will deploy patrol rifles and the AR in accordance with Department manual section 312.3.1, and pursuant to State and Federal law regarding the use of force.

708.4.6

CHEMICAL AGENT AND SMOKE CANISTERS

Canisters that contain chemical agents that are released when deployed.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

- 1. Description: Defense Technology, Triple-Chase Separating Canister, CS.
- 2. Quantity: 50
- 3. Capabilities: The Triple-Chase CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This canister can be hand thrown or launched from a fired delivery system. The canister is 6.5 in. by 2.7 in. and holds approximately 3.2 oz. of active agent. It has an approximate dispersion time of 20-30 seconds.
- 4. Purchase Cost: \$47 each.

Item No. 2

- 1. Description: Defense Technology, Riot Control Continuous Discharge Grenade.
- 2. Quantity: Eight (8).
- 3. Capabilities: The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous dispersion that expels its contents in approximately 20-40 seconds through four ports located on the top of the canister. This canister can be used to

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conceal tactical movement or to route a crowd. This launchable canister is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.

4. Purchase Cost: \$27 each.

Item No. 3

1. Description: Defense Technology, Flameless Expulsion OC Grenade.
2. Quantity: 18.
3. Capabilities: The OC Flameless Expulsion Grenade is a compact, non-pyrotechnic, chemical agent device that provides safe expulsion without risk of fire. It is safe to use inside of a residence. Unlike pyrotechnic canisters, this device's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area of approximately 1500 square feet. The canister is 7.5 in. by 1.65 in. and delivers approximately .02 oz. of active agent during its 3-second discharge time.

4. Purchase Cost: \$49 each.

- (b) Purpose: To deescalate a situation and lower the likelihood of lethal force. Situations for use of the less lethal weapon systems may include, but are not limited to, dangerous and/or combative individuals, riot/crowd control and civil unrest incidents, circumstances where a tactical advantage can be obtained, and potentially vicious animals.
- (c) Authorized Use: Only officers who have received P.O.S.T. certification in the use of chemical agents are authorized to use them.
- (d) Training: Sworn members utilizing chemical agent canisters must be certified by P.O.S.T. less lethal and chemical agent instructors.
- (e) Fiscal Impact: No annual maintenance.
- (f) Legal and Procedural Rules: Officers will only deploy chemical agents in compliance with Department manual section 300, and State and Federal law, including those regarding the use of force.

708.4.7 EXPLOSIVE BREACHING TOOLS

Explosive breaching tools are tools that are used to conduct an explosive breach to create an entry or exit point during a tactical situation.

- (a) Description, quantity, capabilities, and purchase cost:

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Item No. 1

1. Description: Detonating Cord.
2. Quantity: 80 feet.
3. Capabilities: 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 highspeed fuse which explodes, rather than burns, and is suitable for detonating explosives.
4. Purchase Cost: \$1 per foot.

Item No. 2

1. Description: Nonel Detonators.
2. Quantity: 12.
3. Capabilities: A detonator is a small sensitive primary explosive device generally used to detonate a larger, less sensitive secondary explosive, such as plastic explosive.
4. Purchase Cost: \$12 each.

Item No. 3

1. Description: Royal Remington 870 Express Breaching Shotgun:
2. Quantity: Two (2).
3. Capabilities: This device 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 device into the correct position and vents gases to prevent overpressure. This device can also defeat windows and sliding glass doors. This device uses a less lethal 2.4-inch shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot, at a velocity of 270-290 feet per second (FPS).
4. Purchase Cost: \$658 each.

- (b) Purpose: To quickly and safely gain entry into a structure.

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- (c) Authorized Use: Explosive breaching may only occur after authorization by the Incident Commander or Tactical Commander, in the field.
- (d) Fiscal Impact: Annual maintenance is approximately \$500.
- (e) Training: Officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations. This includes the use of the breaching shotgun.
- (f) Legal and Procedural Rules: Only fully trained S.W.A.T. Operators are authorized to use explosive breaching devices and only with the authorization of the Incident or Tactical Commander.

708.4.8 PEPPERBALL LAUNCHER

A device that discharges irritant projectiles.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

- 1. Description: PepperBall VKS Carbine.
- 2. Quantity: Five (5).
- 3. Capabilities: The Variable Kinetic System (VKS) is a compressed-air powered launcher designed to fire non-lethal PepperBall projectiles. The PepperBall VKS Carbine features a dual feed system that offers the ability to quickly switch between Hopper mode and Magazine mode for optimum versatility.
- 4. Purchase Cost: \$600 each.

Item No. 2

- 1. Description: PepperBall Live-X Projectile.
- 2. Quantity: 500.
- 3. Capabilities: The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 standard PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60 feet and an area of saturation of 150+ feet. The projectile contains 5% PAVA powder.
- 4. Purchase Cost: \$3 per projectile.

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- (b) Purpose: To deescalate a situation and lower the potential for the use of lethal force. Situations for use of the less lethal weapon systems may include, but are not limited to, dangerous and/or combative individuals, riot/crowd control and civil unrest incidents, circumstances where a tactical advantage can be obtained, and potentially vicious animals.
- (c) Authorized Use: Only those officers who have been trained in the use of PepperBall launchers are authorized to use them.
- (d) Expected Lifespan: Launcher and munitions: Five (5) years.
- (e) Fiscal Impact: Annual maintenance is approximately \$50 for each PepperBall launcher.
- (f) Training: Sworn members utilizing PepperBall launchers and projectiles are trained in their use by P.O.S.T. certified less lethal and chemical agent instructors.
- (g) Legal and Procedural Rules: Officers will deploy the PepperBall launcher in compliance with Department Manual Section 300, and to State and Federal law, including those regarding the use of force.

708.4.9 MOBILE COMMAND POST VEHICLE (MCP)

The Mobile Command Post (M.C.P.) vehicle is a mobile office that provides shelter, access to Department computer systems, communications, food, and restroom facilities on extended events.

- (a) Description, quantity, capabilities, and purchase cost:

Item No. 1

- 1. Description: Freightliner Chassis (custom built) vehicle.
- 2. Quantity: One (1).
- 3. Capabilities: The M.C.P. can also be utilized for S.W.A.T./C.N.T. and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events.
- 4. Purchase Cost: \$280,000.

- (b) Purpose: To be used based on the specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place.
- (c) Authorized Use: The M.C.P. shall be used by officers trained in their deployment and in a manner consistent with Department policy and training. Furthermore, only

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personnel who have completed the Department's driving and operations training will be allowed to drive the M.C.P. (Per S.O.P.).

- (d) Expected Lifespan: The M.C.P., 20-year lifespan on chassis and vehicle structure. Upgrades as needed to ensure updated and properly maintained I.T. systems.
- (e) Fiscal Impact: Annual maintenance is approximately \$11,000.
- (f) Training: The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver. Driver/operators will also receive training in the proper set-up and break down of the M.C.P. when deployed for events and operations.
- (g) Legal and Procedural Rules: It is the policy of the Department to use the M.C.P. only for official law enforcement purposes, and in the accordance with California State law, City & Department Policies, and Standard Operating Procedures ("S.O.P.") related to the operation of emergency motor vehicles.

708.5

APPROVAL

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

- (a) Requesting military equipment made available pursuant to USC § 2576(a).
- (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 Department's jurisdiction.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by this Policy.
- (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.

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- (g) Acquiring military equipment through any means not provided above.

708.6 COMPLIANCE

- (a) Department members are bound to adhere to this Policy, in addition to state and local laws and ordinances when employing the use of military equipment at any time. Violations of the law or this Policy may result in criminal or administrative investigations and, or actions.
- (b) Members of the public may register complaints or submit questions or concerns about the use of each type of military equipment in this Policy by any of the following means:

1. Via email to: ArcadiaPolice@ArcadiaCa.gov
2. Via telephone to: (626) 574-5156
3. Via mail to: Arcadia Police Department
Attn: Military Equipment Use Coordinator
250 W. Huntington Drive
Arcadia, CA 91007

The Department is committed to responding to complaints, concerns, and questions received through any of the above methods in a timely manner.

708.7 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction, or otherwise engaged in law enforcement operations in this jurisdiction, shall comply with their respective military equipment use policies in rendering mutual aid.

708.8 ANNUAL REPORT

Upon approval of this Policy, the Chief of Police or the authorized designee should submit a military equipment report to City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use.

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the Department's website for as long as the military equipment is available for use. The report shall include all information required by Government Code section 7072 for the preceding calendar year for each type of military equipment in Department inventory. "Type" of military equipment is defined to mean each item that shares the same manufacturer model number.

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708.9 COMMUNITY ENGAGEMENT

Within thirty (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.