

Military Equipment

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 elected or appointed body that oversees the Department.

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

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

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706.2 POLICY

It is the policy of the Mammoth Lakes 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 shall designate a member of this 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 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 Mammoth Lakes 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:

See attachment: [MLPD AB 481 equipment list.pdf](#)

The Department shall not obtain any military equipment other than direct replacements for items in the attached list without obtaining specific authorization from the Town Council for the acquisition of such items

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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 should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

706.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee shall 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 shall 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

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the Department shall discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Attachments

MLPD AB 481 equipment list.pdf

DESCRIPTION (Military Item Per AB 481)	QUANTITY (Sought or Possessed)	CAPABILITIES	EXPECTED LIFESPAN	PRODUCT DESCRIPTION (MANUFACTURER)	PURPOSE (AUTHORIZED USE)	FISCAL IMPACT (INITIAL & YEARLY)	LEGALRULES	TRAINING (REQUIREMENTS)	COMPLIANCE (OVERSIGHT)	COMPLAINT PROCEDURE
Pepperball Launcher	Existing: 3	Less Lethal Force Option	5-8 Years	Pepperball Inc.	Less Lethal force Compliance Wildlife Diversion	Initial: N/A Yearly: \$200 (Maintenance)	835a PC & Federal and State Case Law	California Peace Officers Standards & Training Certified Less Lethal Instructor led Training	Use of Force Review, Internal Affairs Investigation - Policy 1010	MLPD Policy 1010
Pepperball Munitions	Existing: 130 Sought: 750	Less Lethal Force Option	3 Years	Pepperball Inc.	Less Lethal force Compliance Wildlife Diversion	Initial: \$1290 (Re-Stock) Yearly: N/A	835a PC & Federal and State Case Law	California Peace Officers Standards & Training Certified Less Lethal Instructor led Training	Use of Force Review, Internal Affairs Investigation - Policy 1010	MLPD Policy 1010
Bean-Bag Shotguns	Existing: 4	Less Lethal Force Option	30,000 Rounds	Remington	Less Lethal force Compliance Wildlife Diversion	Initial: N/A Yearly: \$250 Maintenance	835a PC & Federal and State Case Law	California Peace Officers Standards & Training Certified Less Lethal Instructor led Training	Use of Force Review, Internal Affairs Investigation - Policy 1010	MLPD Policy 1010
Shotgun BeanBag Round	Existing: 94 Sought: 100	Less Lethal Force Option	5 Years	Defense Technology Corporation	Less Lethal Force Compliance Wildlife Diversion	Initial: \$500 (Re-Stock) Yearly: N/A	835a PC & Federal and State Case Law	California Peace Officers Standards & Training Certified Less Lethal Instructor led Training	Use of Force Review, Internal Affairs Investigation - Policy 1010	MLPD Policy 1010
Rubber Slugs Round	Existing: 95 Sought: 500	Less Lethal Force Option	5 Years	Lightfield	Less Lethal Force Compliance Wildlife Diversion	Initial: \$2500 (Re-Stock) Yearly: N/A	835a PC & Federal and State Case Law	California Peace Officers Standards & Training Certified Less Lethal Instructor led Training	Use of Force Review, Internal Affairs Investigation - Policy 1010	MLPD Policy 1010
DJI Matrice 30T (Drone)	Existing: 1	Drone – Remote Piloted	2-5 Years	DJI Technologies	Enhance MLPD's Mission of Protecting of Lives and Property	Initial: \$15,000 Yearly: \$4,000	Federal Aviation Administration Regulations	Initial Pilot Training and Routine In-House Training	Team Supervisor Oversight / Monthly Reporting to Federal Aviation Administration	MLPD Policy 1010