

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION 2023-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON APPROVING A
MILITARY EQUIPMENT USE POLICY**

WHEREAS, Assembly Bill 481 (AB 481) (codified as Chapter 12.8 of the California Government Code and commencing with section 7070 et seq.), was approved by Governor Gavin Newsom on September 30, 2021, and requires all local law enforcement agencies to obtain approval from the applicable governing body via the adoption of a "military equipment" use policy by ordinance prior to requesting, seeking funding, acquiring, collaborating with other jurisdictions about the deployment of military equipment, or using military equipment; and

WHEREAS, the City of Hughson contracts with the Stanislaus County Sheriff's Department to provide police services within the City of Hughson and the contract language expressly states that any deputies assigned to work in Hughson will follow the policies of the Sheriff's Department; and,

WHEREAS, the Stanislaus County Board of Supervisors held public hearings on AB481 on December 6 and December 20, 2022, and adopted, by ordinance, the Military Equipment Use Policy attached hereto as Exhibit A; and,

WHEREAS, Exhibit A adheres to California Government section 7070 et seq. with respect to the approval, acquisition, and reporting requirements of military equipment and is consistent with industry best practices; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hughson hereby approves the Military Equipment Use Policy attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regularly scheduled meeting on this 8th day of May 2023, by the following vote:

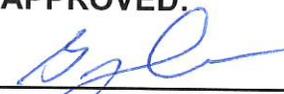
AYES: MAYOR CARR, BAWANAN, RUSH, CROOKER, STRAIN

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.

APPROVED:



GEORGE CARR, Mayor

ATTEST:



ASHTON GOSE, City Clerk

Military Equipment

708.1 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).

708.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the [Department/Office].

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

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

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708.2 POLICY

It is the policy of the Stanislaus County Sheriff's Office that members of this [department/office] comply with the provisions of Government Code § 7071 with respect to military equipment.

708.3 MILITARY EQUIPMENT COORDINATOR

The Sheriff should designate a member of this [department/office] 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/office] equipment that qualifies as military equipment in the current possession of the [Department/Office], or the equipment the [Department/Office] 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 Stanislaus County Sheriff's Office (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/office]'s funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Sheriff and ensuring that the report is made available on the [department/office] 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/Office] will respond in a timely manner.

708.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the [Department/Office]:

[Insert attachment here]

708.5 APPROVAL

The Sheriff 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 Sheriff or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the [department/office] 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):

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- (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/office].
- (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.

708.6 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.

708.7 ANNUAL REPORT

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

The Sheriff or the authorized designee should also make each annual military equipment report publicly available on the [department/office] 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/office] inventory.

708.8 COMMUNITY ENGAGEMENT

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

Stanislaus County Sheriff's Military Inventory

All Categories have authorized use and training as set forth in Department Policy, federal, state and local laws

This inventory is at a point in time as of June 2022 and may vary

Category	Category Description as stated in the Legislation	Equipment Description	Equipment Purpose	Quantity	Estimated Cost (per unit)	Life Span (in years)	Estimated Ongoing Costs
1	Unmanned, remotely piloted, powered aerial or ground vehicles	DJI Matrice 300 RTK	Unmanned Aerial Systems (UAS) are to be deployed when its use would assist officers or Incident Commanders with law enforcement and search and rescue related functions.	2	\$40,000.00	5	\$5,000.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	DJI Inspire 2	Unmanned Aerial Systems (UAS) are to be deployed when its use would assist officers or Incident Commanders with law enforcement and search and rescue related functions.	1	\$5,500.00	5	\$500.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	DJI Mavic 2 Dual	Unmanned Aerial Systems (UAS) are to be deployed when its use would assist officers or Incident Commanders with law enforcement and search and rescue related functions.	2	\$4,000.00	5	\$500.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	DJI Mavic 2 Zoom	Unmanned Aerial Systems (UAS) are to be deployed when its use would assist officers or Incident Commanders with law enforcement and search and rescue related functions.	4	\$3,000.00	5	\$500.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	DJI Mavic 2 Enterprise Advanced	Unmanned Aerial Systems (UAS) are to be deployed when its use would assist officers or Incident Commanders with law enforcement and search and rescue related functions.	3	\$8,000.00	5	\$2,000.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	Mavic Mini V1 & V2	Unmanned Aerial Systems (UAS) are to be deployed when its use would assist officers or Incident Commanders with law enforcement and search and rescue related functions.	8	\$500.00	5	\$500.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	Remotec F6B robot	Bomb Squad robots are used to investigate and render safe suspicious packages, and improvised explosive devices. Both robots have 2-way audio/video capabilities and can be used to communicate in dangerous situations, removing human life.	1	\$50,000.00	15	\$1,500.00
1	Unmanned, remotely piloted, powered aerial or ground vehicles	iRobot Pacbot robot	Bomb Squad robots are used to investigate and render safe suspicious packages, and improvised explosive devices. Both robots have 2-way audio/video capabilities and can be used to communicate in dangerous situations, removing human life.	1	\$50,000.00	15	\$1,500.00
2	Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision	Armored Vehicle (Lenco)	Commercially produced wheeled Armored Personnel vehicles utilized for law enforcement purposes.	1	\$300,000.00	15	\$10,000.00
3	High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.	NONE					
4	Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.	NONE					
5	Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	Mobile Incident Command Post (Stationary)	Vehicles or truck and trailer used for a mobile office command center that provides shelter, access to department computer and communication systems during extended events.	1	\$250,000.00	10	\$10,000.00

Category	Category Description as stated in the Legislation	Equipment Description	Equipment Purpose	Quantity	Estimated Cost (per unit)	Life Span (in years)	Estimated Ongoing Costs
5	Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	Mobile Incident Command Post (Crime Scene Van)	Vehicles or truck and trailer used for a mobile office command center that provides shelter, access to department computer and communication systems during extended events.	1	\$150,000.00	10	\$10,000.00
5	Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	Mobile Incident Command Post (Sprinter Van)	Vehicles or truck and trailer used for a mobile office command center that provides shelter, access to department computer and communication systems during extended events.	2	\$150,000.00	10	\$10,000.00
6	Weaponized aircraft, vessels, or vehicles of any kind.	NONE					
7	Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.	NONE					
8	Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.	NONE					
9	Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.	NONE					
10	Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.	NONE					
11	Any firearm or firearm accessory that is designed to launch explosive projectiles.	NONE					
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	PepperBall FTC Launcher	"Flashbangs" or Noise Flash Diversionary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	89	\$500.00	10	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	PepperBall VKS Launcher	"Flashbangs" or Noise Flash Diversionary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	8	\$1,000.00	10	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	PepperBall LIVE projectile	"Flashbangs" or Noise Flash Diversionary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	15,100	\$3.00	2	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	PepperBall Inert projectile	"Flashbangs" or Noise Flash Diversionary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	9,825	\$1.00	2	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	Noise Flash Diversionary Device	"Flashbangs" or Noise Flash Diversionary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	454	\$50.00	2	\$0.00

Category	Category Description as stated in the Legislation	Equipment Description	Equipment Purpose	Quantity	Estimated Cost (per unit)	Life Span (in years)	Estimated Ongoing Costs
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	CS/OC Gas Canister	"Flashbangs" or Noise Flash Diversionsary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	259	\$40.00	5	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	White Smoke Canister	"Flashbangs" or Noise Flash Diversionsary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	99	\$30.00	5	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	CTS Sting-ball	"Flashbangs" or Noise Flash Diversionsary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	287	\$50.00	5	\$0.00
12	"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	CTS Sting-ball with CS	"Flashbangs" or Noise Flash Diversionsary Devices are devices used to distract and disorientate dangerous persons. Chemical Agent (tear gas) canisters contain chemical agents that are released when deployed. Pepper balls are a non-lethal projectile that contain a chemical irritant.	48	\$50.00	5	\$0.00
13	Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).	NONE					
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	Remington 870 Less Lethal Shotgun	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	192	\$800.00	10	\$500.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	CTS 12 gauge Super Sock Bean Bag Impact round	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	2,790	\$5.00	n/a	\$0.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	12 gauge Super Star rounds	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	1,203	\$5.00	n/a	\$0.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	12 gauge Muzzle Bang rounds	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	333	\$10.00	n/a	\$0.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	Defense Technology/LMT 40mm single shot launcher	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	18	\$500.00	10	\$500.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	Defense Technology/LMT 40mm four shot launcher	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	3	\$1,000.00	10	\$500.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	CTS/ Penn Arms 40mm single shot launcher	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	15	\$1,200.00	10	\$500.00

Category	Category Description as stated in the Legislation	Equipment Description	Equipment Purpose	Quantity	Estimated Cost (per unit)	Life Span (in years)	Estimated Ongoing Costs
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	40mm projectiles	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	658	\$5.00	n/a	\$0.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	CTS 40mm projectiles (Foam baton Rounds)	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	83	\$35.00	5	\$0.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	CTS 40mm projectiles (Stingball Rounds)	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	172	\$25.00	5	\$0.00
14	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	CTS 40mm projectiles (Aerial Flash Bang)	40mm Launchers are utilized as a tear gas delivery system and as a less lethal tool to launch impact rounds. The Less Lethal shotguns are used to deploy the less lethal 12-gauge beanbag impact round.	67	\$40.00	5	\$0.00
15	Any other equipment as determined by a governing body or a state agency to require additional oversight.	NONE					