

**EFFECTIVE DATE  
OF ORDINANCE**

October 11, 2023

**ORDINANCE NO. 2859 N.C.S.**

Introduced by: Mike Healy

Seconded by: John Shribbs

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA  
AMENDING ORDINANCE NO. 2818 N.C.S. WHICH ADOPTED AND APPROVED  
PETALUMA POLICE DEPARTMENT'S MILITARY EQUIPMENT FUNDING,  
ACQUISITION, AND USE POLICY 709, TO ADD PETALUMA POLICE  
DEPARTMENT POLICY 613, PERTAINING TO UNMANNED AERIAL SYSTEM  
(UAS) AND UNMANNED GROUND VEHICLES (UGV) OPERATIONS, IN  
COMPLIANCE WITH CALIFORNIA ASSEMBLY BILL NO. 481 (AB 481)**

**WHEREAS**, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (AB 481) (codified in Government Code sections 7070 through 7075.), relating to the use of military equipment as defined in the statute by California law enforcement agencies; and

**WHEREAS**, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used by local police departments; and

**WHEREAS**, the Petaluma Police Department is in possession of certain items of equipment that qualify as "military equipment" under AB 481; and

**WHEREAS**, AB 481 requires that a law enforcement agency possessing and using equipment subject to AB 481 must prepare a publicly released, written, Military Equipment Funding, Acquisition, and Use Policy including the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the use of equipment subject to AB 481; and

**WHEREAS**, the Military Equipment Policies required by AB 481 and supporting information must be adopted by California law enforcement agency governing bodies by ordinance, and be reviewed annually; and

**WHEREAS**, in compliance with AB 481, on April 18, 2022, the Petaluma Police Department submitted the draft Petaluma Military Equipment Funding, Acquisition, and Use Policy (Policy) to the City Council as City Council agenda Item 4B, and posted the proposed Policy on the City's website for 30 days before the June 6, 2022, public hearing introducing Ordinance No. 2818; and

**WHEREAS**, on June 20, 2022, City Council adopted Ordinance No. 2818, which approved Petaluma Police Department Policy 709, pertaining to Military Equipment Funding, Acquisition, and Use Policy; and

**WHEREAS**, pursuant to Government Code Section 7071(b), "In seeking the approval of the governing body... a law enforcement agency shall submit an Annual Military Equipment Use Report, attached hereto as Exhibit A1, to the governing body for the previous year and make those documents available on the law

enforcement agency's website at least 30 days prior to any public hearing concerning the military equipment at issue.”; and

**WHEREAS**, both UAS and UGVs constitute “military equipment” pursuant to Government Code Section 7070(c)(1) of AB 481; and

**WHEREAS**, Policy 709, attached hereto as Exhibit B, included an “AB481 Specific Equipment Inventory” which contained a description of the UAS equipment, quantity sought, useful life, and cost to purchase and maintain for UASs; and

**WHEREAS**, pursuant to Government Code Section 7071(a)(1)(E), “A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy...prior to engaging in ...using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body...”; and

**WHEREAS**, as Ordinance No. 2818, did not address UGVs, or the purposes and authorized uses of UASs pursuant to AB 481, before the Petaluma Police Department can acquire and use UAS and UGV's, City Council needs to adopt an ordinance and policy, in compliance with the procedures stated in AB 481; and

**WHEREAS**, pursuant to Government Code Section 7071(b), “In seeking the approval of the governing body... a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency's website at least 30 days prior to any public hearing concerning the military equipment at issue.”; and

**WHEREAS**, along with Policy 709, Petaluma Police Department Policy 613, pertaining to Unmanned Aerial System (UAS) And Unmanned Ground Vehicles (UGV) Operations, attached hereto as Exhibit C and incorporated as part of this ordinance, “establishes the guidelines for the use of an unmanned aerial system (UAS) and unmanned ground vehicle (UGV) devices...” and “This policy further includes guidelines for storage, retrieval and dissemination of images and data captured by the UAS/UGV devices.”; and

**WHEREAS**, a draft of Policy 709 and 613 was presented to City Council and placed on the City's website on July 5, 2023, as part of the July 10, 2023, City Council meeting, which is at least 30 days before the August 7<sup>th</sup>, 2023 City Council meeting; and

**WHEREAS**, the City Council considered the proposed AB 481 Policy 709 at a duly noticed regular meeting on August 7, 2023 at which time all interested members of the public were provided the opportunity to provide public comment; and

**WHEREAS**, on August 7, 2023, City Council introduced the attached Ordinance No. 2859 N.C.S. by a vote of 7-0; and

**WHEREAS**, this Ordinance amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378, because adoption of an ordinance authorizing the Petaluma Police department's use of existing and budgeted equipment subject to AB 481 does not meet CEQA's definition of a “project,” because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.



**NOW THEREFORE BE IT ORDAINED** by the Council of the City of Petaluma, as follows:

**SECTION 1. FINDINGS.** The City Council hereby finds:

1. That the foregoing recitals are true and correct and hereby incorporates them into this ordinance as findings and determinations of the City Council.
2. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378. Adoption of an ordinance authorizing the police department's use of existing and budgeted equipment subject to AB 481 does not meet CEQA's definition of a "project," because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.
3. The Petaluma Annual Military Equipment Use Report (Exhibit A), the Military Equipment Funding, Acquisition, and Use Policy (Exhibit B), and UAS and UGV Operations Policy (Exhibit C), attached to and made part of this ordinance as Exhibits A, B, C have been posted on the City's website for at least 30 days commencing on July 5, 2023.
4. The City Council has conducted a public hearing on the Annual Military Equipment Use Report, Policy 709 and Policy 613 during a regularly scheduled City Council meeting on August 7, 2023, and considered all written and verbal comments, as well as the report and presentation from staff.
5. The City Council has reviewed Policy 709 and 613 and finds that they meet the requirements of State law and are consistent with the public safety provisions of the Petaluma Police Department Policy Manual.

**SECTION 2. PROPOSED MILITARY EQUIPMENT POLICY DETERMINATIONS.** The City Council determines that:

1. The military equipment as defined in AB 481 that is identified in Policy 709, Military Equipment Funding, Acquisition, and Use, Policy 613, Unmanned Aerial Systems (UAS) and Unmanned Ground Vehicles (UGV), are necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. UAS and UGVs are necessary for:
  - a. Enhanced Situational Awareness: UAS and UGV platforms equipped with cameras and sensors provide an aerial or ground-level perspective, enabling law enforcement agencies to gather real-time intelligence and assess potentially dangerous situations remotely. This enhanced situational awareness allows them to make informed decisions and respond more effectively, reducing risks to both police officers and civilians.
  - b. De-escalation and Conflict Resolution: Unmanned systems equipped with communication devices can establish a line of communication between law enforcement and individuals involved in potentially volatile situations. This remote interaction can provide an opportunity for de-escalation and conflict resolution, reducing the need for direct confrontation and minimizing the risk of injuries or casualties.
  - c. Remote Delivery of Equipment and Supplies: UAS and UGV can transport equipment, medical supplies, or other necessary items to areas where access may be restricted or dangerous for human personnel. In emergency situations or remote locations, these vehicles can rapidly deliver resources, enhancing response times and ensuring the safety of officers and civilians.
  - d. Remote Surveillance: UAS and UGV can be deployed for surveillance purposes, such as monitoring large crowds during public events, patrolling high-crime areas, or conducting investigations in challenging environments. By keeping a watchful eye from the air or ground

without direct human involvement, these systems can help identify potential threats and criminal activities while minimizing the need for physical presence.

2. Both Policy 709 and 613 will safeguard the public's welfare, safety, civil rights, and civil liberties by restricting the use of UAS and UGV equipment to circumstances in which use of such equipment is lawful and in compliance with the 4<sup>th</sup> Amendment and warranted to protect public safety, and by providing for reporting on the use of AB 481 equipment to ensure compliance with Policy 709 and 613.
3. Purchasing and maintaining UAS and UGV equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety. As noted above, UAS and UGV equipment are highly specialized and intended for extraordinary public safety threats such that there may be no available alternative that can achieve the same safety objectives. Also, some of the equipment will be purchased from grants at no cost or was previously purchased, obviating, or reducing the need for new purchases.

**SECTION 3. APPROVAL OF ANNUAL MILITARY EQUIPMENT USE REPORT, POLICY 709 and**

**613.** The City Council of the City of Petaluma approves and adopts the Annual Military Equipment Use Report (Exhibit A), Policy 709 (Exhibit B) and Policy 613 (Exhibit C), which are attached and made a part of this ordinance, and directs that:

1. The Annual Military Equipment Use Report, Policy 709 and Policy 613 shall be maintained on the Police Department's website page, as long as the Policy is in use.
2. Annually, the Police Department shall hold a well-publicized and conveniently located community engagement meeting regarding Petaluma Police Department Annual Military Equipment Use Report, Policy 709, and Policy 613 and its use of equipment subject to AB 481 pursuant to Government Code section 7072(b).
3. Annually, the City Council shall review this Ordinance No. 2818, Policy 709, and Policy 613, and the Annual Military Equipment Use Report prepared by the Police Department pursuant to Government Code section 7072, and determine by resolution whether to continue Ordinance No. 2818, this ordinance, Policy 709, and Policy 613 in effect or to modify Policy 709 and Policy 613, or initiate the amendment or repeal of this Ordinance, Policy 613, or Policy 709.
4. Annually, the City Council shall determine, based on the Annual Military Equipment Use Report submitted pursuant to Government Code section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in AB 481 and Ordinance No. 2818.
5. Staff shall seek approval from the City Council prior to the acquisition or use of any specialized or military equipment, as defined in Government Code section 7070, that is not held in the Police Department's current inventory unless exigent circumstances exist where delaying the acquisition or use of the equipment would jeopardize the safety of the Petaluma community or members of the Police Department. If such circumstances exist, notification of the acquisition or use of the equipment, including a summary of the exigent circumstances preventing the Police Department from giving prior notice, will be provided to the City Council at the first regularly scheduled public meeting following the equipment's acquisition or use.

6. This ordinance, Policy 709 and Policy 613 shall continue in effect until amended or repealed by ordinance of the City Council.

**SECTION 4: SEVERABILITY.** If any part of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each of its provisions irrespective of any part being held invalid.

**SECTION 6: EFFECTIVE DATE.** This ordinance shall become effective thirty (30) days after the date of its adoption by the Petaluma City Council.

**SECTION 7: POSTING/PUBLISHING OF NOTICE.** The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines.

**INTRODUCED** and ordered published and posted this 7<sup>th</sup> day of August 2023.

**ADOPTED** this 11<sup>th</sup> day of September 2023 by the following vote:

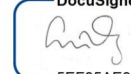
<b>AYES:</b>	Barnacle, Cader-Thompson, Healy, Nau, Pocekay, Shribbs, Mayor McDonnell
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

DocuSigned by:  
  
FE316449A062476...  
Kevin McDonnell, Mayor

**ATTEST:**

DocuSigned by:  
  
184689A429E4492...  
Kami Noriega, CMC, Interim City Clerk

**APPROVED AS TO FORM:**

DocuSigned by:  
  
5EF85AE94F3048D...  
Eric Danly, City Attorney

**Exhibit A**

**Petaluma Police Department  
Annual Military Equipment Use Report June 2022 – June 2023**

**Exhibit B**

**Petaluma Police Department Policy 709  
Military Equipment Funding, Acquisition, and Use**

**Exhibit C**

**Petaluma Police Department Policy 613  
Unmanned Aerial System (UAS) and Unmanned Ground Vehicles (UGV) Operations**



# Petaluma Police Department June 2022 - June 2023 Annual Military Equipment Use Report

969 Petaluma Blvd. N.  
Petaluma, CA 94952  
[www.cityofpetaluma.org](http://www.cityofpetaluma.org)



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Revised July 7, 2023*

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## OUR MISSION, VISION, AND VALUES

- **Our Mission** is *"Working with our community to provide professional police services since 1858."*
- **Our Vision** is "Those we serve, know those who serve them."
- **Our Values** are:
  - Professionalism
  - Teamwork
  - Organizational Excellence
  - Leadership
  - Community
  - Winning Attitude
- **Our Four Service Priorities** are:
  - Reducing Crime
  - Increasing Traffic Safety
  - Improving Quality of Life
  - Engagement with the Community



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## **PREFACE**

Petaluma Police Department (PPD) is committed to maintaining public trust, community partnership, transparency, accountability, best practices and compliance with the law. As such, the Department has developed and published this Annual Military Equipment Use Report in accordance with Assembly Bill 481 (AB481), Government Code 7072 and PPD Military Equipment Use Policy. On June 6, 2022, the Petaluma City Council approved the PPD's use of the listed equipment. This document reports on use information covering the period of June 2022—June 2023. The following information is included in this report (Government Code 7072(a)):

1. A summary of how the military equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the military equipment.
3. The results of any internal audits, any information about violations of the military equipment use policy, and/or any actions taken in response.
4. The total annual costs for each type of military equipment, including acquisitions, 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.
5. The quantity possessed for each type of military equipment.
6. The additional military equipment PPD intends to acquire in the next year, and the quantity sought for each type of military equipment.

## **EQUIPMENT OVERVIEW:**

Petaluma Police Department did not acquire any additional new equipment during this reporting period outside the items [approved by Council on June 6, 2022](#). Although PPD does participate in the Law Enforcement Support Officer (LESO) 10-33 program; the Department did not receive or acquire any additional surplus military equipment from the Federal government during this reporting period. It is the policy of Petaluma Police Department to acquire and use equipment designed to enhance municipal law enforcement's ability to ensure public safety and welfare.

Items deemed to be "military equipment" by Government Code § 7070 are used as a component of overall best practices for law enforcement agencies throughout the country. These tools have been tested in the field and are used by law enforcement agencies to enhance community safety and officer safety.

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The term "military equipment," as used in Government Code § 7070, in fact does not necessarily indicate equipment that has been used by the military. Pursuant to AB481, items deemed to be "military equipment" include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper-ball launchers, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and distraction devices.

It is the policy of PPD to acquire and use equipment designed to enhance law enforcement's ability to ensure public safety and welfare. It is the policy of PPD that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment use. California Government Code § 7070 provides a list of equipment types that are considered to be "military equipment" for purposes of this report, and PPD Military Equipment Acquisition, Funding, and Use Policy Section 709 includes information for any such equipment types that are utilized by the Department.

## **BACKGROUND: ASSEMBLY BILL 481**

On September 30, 2021, Governor Newsom approved AB481 requiring law enforcement agencies to obtain approval of the applicable governing body (City Council), by adoption of a military equipment use policy. The Department is required to seek City Council approval of their military equipment use procedure by ordinance at a regular open meeting prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined.

Effective January 1, 2022, AB481 allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The ordinance is subject to annual City Council review to determine whether, based on an annual military equipment use report, the standards set forth in the approving ordinance have been met. The City Council may renew the authorizing ordinance, disapprove authorization for particular military equipment where standards have not been met, or require modifications to the military equipment use policy to address any non-compliance with standards.

Finally, the bill requires publication of the Military Equipment Acquisition, Funding, and Use Policy and the Annual Military Equipment Use Report on the Department's website. The military equipment use policy must be posted on the website at least 30 days prior to the Council meeting.

The full text of AB 481 is available at <https://cityofpetaluma.org/police-department-specialized-equipment/>.

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## SUMMARY AND QUANTITY OF MILITARY EQUIPMENT

The following constitutes a list of military equipment utilized by the Department that meets the statutory definition of military equipment under AB481:

**Category 1:** Unmanned Aerial Systems (UAS/Drones) / Unmanned Ground Vehicles (UGV)

*Seeking acquisition approval FY24 (Current Quantity: 0, Intended Quantity: 7)*

**Category 2:** Armored Personnel Carriers

Mine Resistant Armored Personnel (MRAP) (Current Quantity: 1)

Mine Resistant Armored Vehicle (M-ATV) (Current Quantity: 1)

**Category 5:** Mobile Command Vehicles (Command and Control Vehicles)

City of Petaluma Mobile Command Vehicle (MCV) (Current Quantity: 1)

**Category 7:** Battering rams, slugs, and ***breaching apparatuses*** that are explosive in nature.

Breaching Projectiles for SWAT: Safariland Tactical Breaching Round Model TKO (Current Quantity: 50)

**Category 10:** Specialized Firearms and Ammunition of less than .50 caliber

Remington Model 700 .308 Bolt-Action for SWAT Sniper Team (Current Quantity: 3)

Spartan Precision A3 6.5 Creedmoor Bolt-Action for SWAT Sniper Team (Current Quantity: 1)

Tikka T3 6.5 Creedmoor Bolt-Action for SWAT Sniper Team (Current Quantity: 4)

.308 Winchester Munition for SWAT Sniper Team (Current Quantity: 500)

6.5 Creedmoor Munition for SWAT Sniper Team (Current Quantity: 2500)

**Category 12:** "Flashbang" Grenades and explosive breaching tools, Chemical Agents, Chemical Agent Delivery Devices, and Pepper Ball Launchers

Defense Technology Low-Roll Flash Bang for SWAT (Current Quantity: 20)

Launching Cup Defense Technology #1350 for SWAT (Current Quantity: 2)

Defense Technology Riot Control Continuous Discharge CS Grenade Outdoor #1082 for SWAT (Current Quantity: 20)



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Defense Technology Flameless Tri-Chamber CS Grenade Indoor #1032 for SWAT (Current Quantity: 16)

Defense Technology Flameless Expulsion CS Grenade Indoor #2042 for SWAT (Current Quantity: 6)

Defense Technology Maximum HC Smoke Canister Outdoor #1083 for SWAT (Current Quantity: 4)

**Category 14: Projectile Launchers and their specialty impact munitions**

40mm Multi-Round Launcher Defense Technology Impact Device #1440 (Current Quantity: 1)

40mm Single Round Launcher Defense Technology Impact Device #1425 (Current Quantity: 8)

Defense Technology Impact Round Exact Impact Sponge #6325 (Current Quantity: 47)

Defense Technology Impact Round Multiple Rubber Baton #6064 (Current Quantity: 10)

Defense Technology Impact Round Stinger 32 Caliber Rubber Balls #6296 (Current Quantity: 6)

Defense Technology 40mm Liquid Barricade Penetrator Round #2262 (Current Quantity: 12)

Defense Technology Direct Impact Chemical Agent Oleoresin Capsicum (OC) #6320 (Current Quantity: 25)

Defense Technology Direct Impact Chemical Agent O-chlorobenzylidenemalononitrile (CS) #6322 (Current Quantity: 25)

Defense Technology Chemical Agent Ferret Powder Barricade Penetrator O-chlorobenzylidenemalononitrile (CS) #2292 (Current Quantity: 12)

Model 870, 12-Gauge / Remington Firearms Less Lethal Bean Bag Shotgun (Current Quantity: 27)

SWAT/Patrol Kinetic Energy Projectile 12 Gauge Safariland drag stabilizing "bean bag" round (Current Quantity: 250)

It should be noted, the numerical inventory of military equipment may fluctuate based upon a variety of reasons. Factors such as deployment, operational usage, operational deterioration, training, maintenance, and expiration and replenishment guidelines or schedules may change the quantity of inventory. Petaluma Police Department is committed to providing the most accurate military equipment inventory and information at the time of the publication of this report. The current inventory list of PPD military equipment can be found at [Police Department Specialized Equipment - City of Petaluma](#)

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## MILITARY EQUIPMENT USE

This section outlines the military equipment usage for June 2022 - June 2023 by Petaluma Police Department. Certain items of military equipment, particularly consumables (ammunition, diversionary devices, pepper balls, chemical agents, etc.) are used throughout the year on a regular basis for training in order to maintain proficiency. Training usage is NOT captured in this section. This section only provides data for the OPERATIONAL USE of military equipment listed within this annual report. The mere possession of the equipment does not warrant its use for every incident.

In addition to the statutory reporting requirements to provide data on the use of specified equipment, this report provides additional transparency data related to the demographics of community members involved when officers deployed the equipment in the field but did not have to use it. These two data points are reported as **SHOW OF FORCE** and **USE OF FORCE** in each category along with the corresponding demographic data. It is a best practice for law enforcement agencies to not only report each incident where force is used, but also to report when the show of force was sufficient to safely resolve an incident through effective tactical communications and de-escalation strategies.

While this report includes use of force and show of force data for the specified military equipment required by Assembly Bill 481, the Department reports all use of force and show of force data on the Transparency Portal on our website at [www.cityofpetaluma.org/police](http://www.cityofpetaluma.org/police).

The following is the data for military equipment usage by category for this reporting period:

### Category 1. UNMANNED AERIAL SYSTEMS (UAS/DRONES) & UNMANNED GROUND VEHICLE

The Department does not currently possess items in this category. The Department is seeking authorization to acquire seven (7) unmanned aerial system (UAS) devices and one (1) unmanned ground vehicle (UGV) device in FY24. The seven UAS devices include three (3) smaller devices for rapid deployment in patrol, two (2) for collision and crime scene documentation which integrate with existing forensic software, and two UAS devices and one UGV device for the Crisis Response Team (CRT) comprised of Special Weapons and Tactics (SWAT) and Crisis Negotiations Teams.

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Category 2. M R A P O R ARMORED PERSONNEL CARRIERS

The MRAP and the M-ATV (Armored Personnel Carriers) were utilized a total of **five (5)** times between June 2022 and June 2023. Below is a summary of when and why the equipment was used in the reporting periods:

- During the first quarter, the Santa Rosa Police Department requested mutual aid to arrest an armed suspect that threatened to kill law enforcement personnel after committing numerous felonious offenses. The Petaluma Police Department began responding to the City of Santa Rosa with Mine Resistant Armored Personnel Carrier (MRAP) and the Mine Resistant Ambush Protected All-Terrain vehicle (M-ATV). Santa Rosa Police Department canceled the mutual aid request prior to the use of the armored vehicles.
- During the second quarter, the Petaluma Police Department conducted operator and driver safety training for personnel authorized to deploy the MRAP and M-ATV.
- During the third quarter, the MRAP was used to evacuate residents in flood areas during an “atmospheric river” state of emergency.
- During the third quarter, the MRAP was utilized during a CRU team scenario training at the Santa Rosa Junior College Public Safety Training Center.
- During the fourth quarter, the MRAP and the M-ATV were displayed during the AB481 Community Event in the front parking lot of the Police Department.

There have been **zero (0)** reported violations for this equipment pursuant to the military equipment use policy during this reporting period.

As there were no operational deployments for emergency incidents, there is no demographic data to report in this category.

Category 5. MOBILE COMMAND VEHICLE (MCV)

The Mobile Command Vehicle was utilized a total of **eleven (11)** times between June 2022 to June 2023. The usage was for command post operations during community events, a missing person search and rescue operation, and law enforcement operations. The following is a more detailed breakdown of the MCV usage:

- During the first quarter, the MCV was utilized four (4) times at community events, the annual Petaluma National Night Out community event, the Petaluma Gun Buy Back event, a Car Seat Safety



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Event, and the annual Boy Scouts of America Safety Preparedness event.

- During the Second Quarter, the MCV was utilized two (2) times as a Command Post during large operations including a multi-agency search and rescue operation for a Silver Alert (Missing Elderly At Risk), and one (1) Office of Traffic Safety Grant Funded Sobriety Checkpoint.
- During the Third Quarter, the MCV was utilized during a Crisis Response Team (SWAT) training scenario at the Santa Rosa Junior College Public Safety Training Center. The MCV was also used during two (2) Office of Traffic Safety Grant Funded Sobriety Checkpoints.
- During the Fourth Quarter, the MCV was utilized three (3) times at the Butter & Egg Day Parade, Cruising the Boulevard Car Show, and the AB481 Community Event in the front parking lot of the Department.

There have been **zero (0)** reported violations for this equipment pursuant to the military equipment use policy during this reporting period.

Due to the nature of events where the MCV was used, there is no demographic data to report.

#### Category 7. BATTERING RAMS, SLUGS, AND BREACHING APPARATUS EXPLOSIVE IN NATURE

Battering rams, Slugs, and Breaching Apparatuses were utilized **zero (0)** times between June 2022 to June 2023 for operational use.

There have been **zero (0)** reported violations for this equipment pursuant to the military equipment use policy during this reporting period.

There is no demographic data to report from this category.

#### Category 10. SPECIALIZED FIREARMS

Specialized Firearms (.308 bolt-action and 6.5 Creedmoor bolt action rifles) were utilized **zero (0)** times between June 2022 to June 2023 for operational use.

There have been **zero (0)** reported violations for this equipment pursuant to the military equipment use policy during this reporting period.

There is no demographic data to report from this category.

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**Category 12. FLASHBANG GRENADES (ALSO KNOWN AS DIVERSIONARY DEVICES)**

"Flashbang" Grenades, aka Diversionary Devices, were utilized zero **(0)** times between June 2022 to June 2023 for operational use.

"Flashbang" Grenades were utilized **five (5)** times by officers to complete Basic SWAT Operator training and were used in controlled training environments.

There have been **zero (0)** reported violations for this equipment pursuant to the military equipment use policy during this reporting period.

There is no demographic data to report from this category.

**Category 14. PROJECTILE LAUNCHERS, ASSOCIATED MUNITIONS AND SPECIALTY IMPACT MUNITIONS**

*(A) 40mm Launchers and Related Munitions*

The 40mm Launchers were deployed into the field a total of **thirteen (13)** times by officers on calls for service between June 2022 to June 2023. These usages are as follows:

**SHOW OF FORCE ONLY** - 40mm impact less lethal rounds were deployed **twelve (12)** times on calls for service to gain compliance of an uncooperative subject without the need to discharge any rounds and were used as a **show of force only**. These were used in incidents with armed, potentially armed, or violent suspects, and during high-risk vehicle stops.

**USE OF FORCE** – A 40mm impact less lethal round was used **one (1)** time to break the window of a passenger vehicle to arrest an armed and dangerous barricaded suspect who was threatening to flee and injure officers. The round was used to gain access (breach) the vehicle window to arrest the suspect driver and did not impact the resisting occupant.

40mm impact related rounds were used **zero (0)** times to impact an armed, potentially armed, or violent suspect.

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### 40mm Launcher Deployment and Use Demographics

<b>Category 14 – Demographics for Less Lethal 40mm Impact Weapons</b>							
	<b>Show of Force</b>				<b>Use of Force</b>		
	Total	Percent	Male	Female	Percent	Male	Female
White	4	34%	2	2	100%	1	0
Hispanic	5	42%	2	3	0%	0	0
Black	2	16%	2	0	0%	0	0
Asian	0	0%	0	0	0%	0	0
Other	1	8%	0	1	0%	0	0
Total	12		6	6		1	0

***Note: The one 40mm impact round used to break a car window was a white male wanted for a violent felony offense. The round was used to gain access to the vehicle only and did not impact/injure the driver.***

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*(B) Less Lethal Shotguns and Related Munitions*

Less Lethal Shotguns with 12-Gauge Drag Stabilizing Beanbag munition were utilized a total of **eight (8)** times by officers on calls for service between June 2022 to June 2023 to gain compliance of an uncooperative subject without the need to use any of the rounds. All of the incidents were **show of force only**.

**USE OF FORCE** - A Less Lethal Shotgun and the related 12-Gauge Drag Stabilizing Beanbag round munition were used **zero (0)** times between June 2022 to June 2023 to impact an armed, potentially armed, or violent suspect.

<b>Category 14 – Demographics for Less Lethal – Beanbag Shotgun</b>							
	<b>Show of Force</b>				<b>Use of Force</b>		
	Total	Percent	Male	Female	Percent	Male	Female
White	2	25%	2	0	0%	0	0
Hispanic	2	25%	2	0	0%	0	0
Black	4	50%	2	2	0%	0	0
Asian	0	0%	0	0	0%	0	0
Other	0	0%	0	0	0%	0	0
Total	8		6	2		0	

*(C) Specialty Impact Munitions (SIM's)*

SIM's were utilized **zero (0)** times operationally between June 2022 to June 2023. SIM's were utilized on a regular basis for training purposes by the Crisis Response Team (SWAT), and In-Service Training throughout the year. SIM's are non-operational rounds and used strictly for training purposes only.

There have been **zero (0)** reported violations for this equipment pursuant to the military equipment use policy during this reporting period.

There is no demographic data to report from this category.





## SUMMARY OF COMPLAINTS OR CONCERNS

Petaluma Police Department is committed to responding to complaints, concerns and/or questions received through any of the below methods in a timely manner.

Pursuant to California Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment in this policy by any of the following means:

1. In person at: Police Headquarters, 969 Petaluma Blvd. North, Petaluma, CA 94952
2. Via email to: [policeadmin@cityofpetaluma.org](mailto:policeadmin@cityofpetaluma.org)
3. Via online at: <https://cityofpetaluma.org/police-personnel-complaint/>
4. Via Office of the Independent Police Auditor at: <https://www.petalumapoliceauditor.org/>
5. Via phone call to 707-778-4373 or 707-778-4730
6. Via mail sent to: Petaluma Police Department, 969 Petaluma Blvd. North, Petaluma, CA 94952

There were **zero (0)** formal complaints related to the use of military equipment as investigated by Petaluma Police Department's Professional Standards Division during this reporting period.

The Petaluma Police Department received **one (1)** email from a community member associated with Moms Demand Action on June 10, 2022. The concerned community member expressed concern over prioritizing police armament over preventative strategies. The email was addressed to Chief Savano and members of the City Council.

## SUMMARY AND RESPONSES TO MILITARY EQUIPMENT USE POLICY VIOLATIONS

There were no policy violations found with the deployment or use of military equipment; therefore, there are no summaries and/or responses to policy violations during this reporting period. Additionally, compliance with the Military Equipment Use Policy will be reviewed by the Office of the Independent Police Auditor and reported to City Council in their annual reporting requirements.



## OUTREACH AND COMMUNITY ENGAGEMENT

The Petaluma Police Department is committed to improving the trust and confidence between the Department and the community we serve. As the Department strives to enhance community relationships and continues to be a progressive leader amongst law enforcement agencies nationwide, we want to ensure the public has access to the way its Police Department operates and engages with the public. The Petaluma Police Department regularly utilizes select military equipment, such as the Mobile Command Vehicle, during public outreach and community events, as a means of public awareness, transparency and education. Military equipment may also be displayed during community events as a means of providing a safe environment for the public to view and learn about the Military Equipment used by the Department.

To comply with AB481, the Department hosted a community engagement display on May 4, 2023, to provide community members the opportunity to view, comment on, discuss, and ask questions regarding the department's military equipment. The community engagement event was shared with the public through the City's weekly update and the City's social media channels, including Facebook, Nextdoor, and Instagram pages. Members from the community, City Departments, City Council and media attended the community meeting.

Additionally, a representative from the local media photographed, asked questions, and documented the event in the local news media. Following the meeting, the Police Department provided written responses to the media, which were published in a series of news articles and editorials. The links for the published media can be found below:

- <https://www.petaluma360.com/article/opinion/community-matters-building-trust-is-a-two-way-street/>
- <https://www.petaluma360.com/article/news/letters-to-the-argus-courier-may-26-2023/>
- <https://www.petaluma360.com/article/news/for-petaluma-police-armored-vehicles-are-a-mixed-blessing/>
- <https://www.petaluma360.com/article/opinion/editorial-petaluma-doesnt-need-military-grade-equipment/>

## FISCAL IMPACT

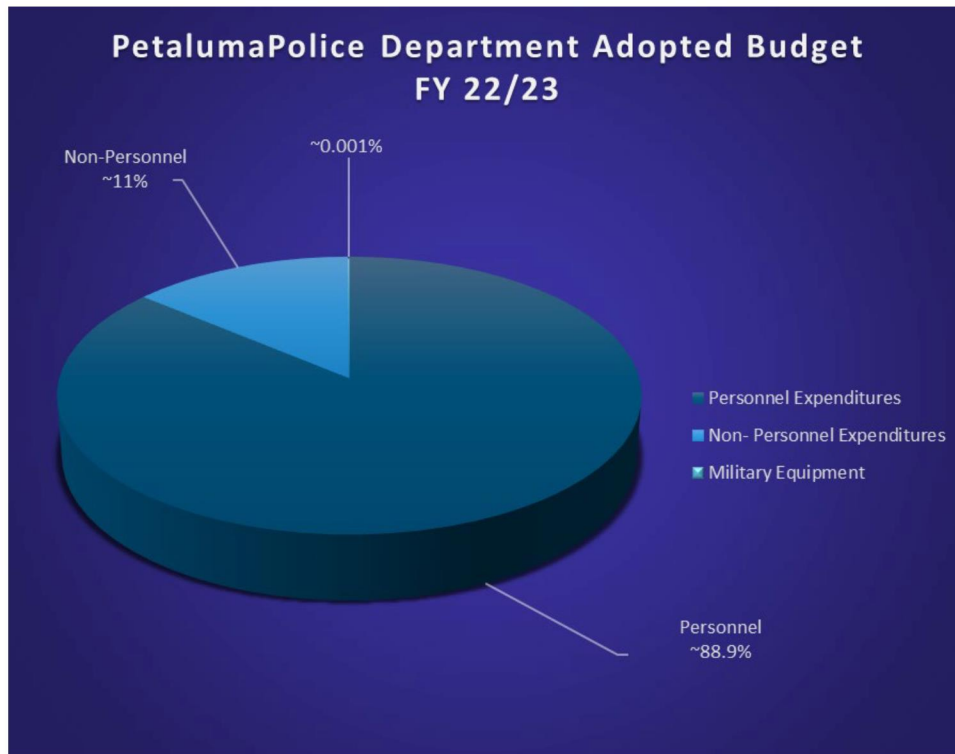
Currently the Petaluma Police Department maintained a workforce comprised of over 70 full-time equivalent (FTE) sworn peace officers and 34 FTE professional staff during the reporting period. The Petaluma Police Department's adopted budget for the 2022/2023 fiscal year was approximately \$24,000,000.00, of which approximately 88.9 percent is allocated to personnel costs and the remaining to services, supplies, and equipment. The portion of the budget allocated for military equipment expenditures, including patrol ammunition, represents a small fraction of the Department's overall operating costs at approximately \$17,625 during the reporting period (See below). However, the funds spent on military equipment are an integral part of providing the essential resources and equipment needed to keep the community and officers safe. The significance and enhanced capability the current military equipment inventory provided is immense and cannot be understated from a public safety perspective.



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The following outlines the fiscal impact of military equipment on the annual budget. As evidenced by the chart below and subsequent data tables, military equipment and related costs represent .001% of the overall Department budget. Cost breakdowns showcase the individual equipment prices per unit, combined with costs related to training, maintenance, upgrades, other ongoing costs, as well as the source of funding:



Category	FY 2023 Adopted Budget Approximate	Percentage of Annual Budget Approximate
<b>Total Personnel Related Costs</b>	\$21,969,744	88.9%
<b>Supplies, Services, Equipment (Non-Personnel Related)</b>	\$2,742,222	11%
<b>Military Equipment Costs (Subset of Non-Personnel Costs)</b>	\$17,625	0.001%
<b>TOTAL BUDGET</b>	<b>\$24,741,966</b>	<b>100%</b>

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## TRAINING SUMMARY

The safe and proficient use of the equipment outlined by AB481 requires countless hours of initial and on-going training as well as required certifications. Most training for department personnel is conducted internally by department personnel to ensure adherence to law and policy. There are times when department personnel are sent to external training courses to enhance and supplement internal trainings and to obtain train the trainer certifications. Consumable (munitions) and non-consumable (weapons and vehicles) equipment are used during training to ensure proficiency and competency during actual emergencies. Funding sources for all internal and external training are reflected in the Petaluma Police Department's operations budget which receives funding from the City's General Fund, State and Federal grants, and re-imbursements from Commission on Peace Officers Standards and Training (POST).

## COSTS FOR SPECIALIZED EQUIPMENT USED IN TRAINING

The following is a breakdown of equipment used during training and the associated costs in each category of authorized military equipment. The quantity captured within the "consumable equipment" column indicates equipment that was expended during training. The personnel cost of training is captured in the department's general operating budget and is not listed here.

Equipment Category and Type	Consumable Equipment Used	External Training	Total Cost
1. Unmanned Aerial System (UAS/Drones) <i>Pending acquisition</i>	0	TBD	TBD
1. Unmanned Ground Vehicle <i>Pending acquisition</i>	0	0	\$0
2. MRAP	0	0	\$0
2. M-ATV	0	0	\$0
5. City of Petaluma Mobile Command Vehicle (MCV)	0	0	\$0
10. Specialty Ammunition, less than .50 cal - 6.5 Creedmoor	1,000	0	\$1,350.00
12. Defense Technologies Flashbang Grenades	5	0	\$325
14. Defense Technology 40 MM Kinetic Energy Projectiles	0	0	\$0
14. Remington Breaching Shotgun (Model 870, 12 Gauge)	0	0	\$0
14. Less-Lethal Shotgun Bean Bag Rounds	42	0	\$210
<b>Total:</b>	<b>1,047</b>	<b>0</b>	<b>\$1,885.00</b>

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## PERSONNEL TRAINING COSTS

The following is a breakdown of personnel training cost for FY23 associated with the Crisis Response Team (Special Weapons and Tactics – SWAT). Every new officer assigned to the tactical team must complete the POST certified Basic SWAT Operator course.

Training Description		# Ofc.	Hrs.	Total Cost	Reimbursed
*12	Monthly Sniper Training	3	10	\$3,089.00	\$0
6/6	SWAT Team Leader	2	40	\$4,475.32	\$2,969.96
6/20	Chemical Agent Instructor	2	16	\$1,312.24	\$456.35
9/12	Basic SWAT Operator	1	80	\$1,681.00	\$1,966.30
10/24	Precision Rifle/Observer	2	40	\$3,644.10	\$0.00
12/5	Tactical Breacher	2	24	\$2,900.05	\$0.00
12/6	Basic SWAT Operator	4	80	\$11,572.67	\$4,563.26
1/10	SWAT Update	15	24	\$13000.00	\$0.00
3/6	Tactical Breacher	3	24	\$2,522.37	\$0.00
<b>Total:</b>				<b>\$78,175.75</b>	<b>\$9,955.87</b>

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## EQUIPMENT COSTS

The following are equipment related expenditures for June 2022 to May 2023. Also listed are the projected expenses for Fiscal Year 2024. Equipment expenditures include the acquisition of new equipment, the replacement or repair of damaged equipment, and the ongoing maintenance of our AB481 military equipment which are captured in the Annual Maintenance/Replacement column.

Equipment Category and Type	Acquisition Costs FY23	Annual Maintenance Replacement Costs	Projected Costs FY24
1. Unmanned Aerial Systems (UAS) <i>Pending</i>	\$0	TBD	\$30,000.00
1. Unmanned Ground Vehicle (Robot) <i>Pending</i>	\$0	TBD	\$15,000.00
2. Armored Personnel Carriers (MRAP & M-ATV)	\$0	\$5,000.00	\$5,000.00
5. Mobile Command Vehicle (MCV)	\$0	\$6,800.00	\$10,000.00
10 Specialty Munitions less than .50 caliber – 6.5 Creedmoor	\$1,350.00	\$1,350.00	\$2,000.00
14 Specialty Munitions, including chemical agents (Gas), 40mm, SIMS, Bean Bag	\$210	\$3,500.00	\$3,500.00
14 Defense Technology Low Roll “Flashbang” Grenade	\$325.00	\$325.00	\$650.00
14 Defense Technology 40mm Launcher #1425	\$0	\$400.00	\$1,500.00
14 Defense Technology Multi-Round Launcher #1440	\$0	\$50.00	\$50.00
14 Remington Breaching Shotgun (870)	\$0	\$200.00	\$200.00
Storage Space at 1221 Petaluma Blvd. North <i>Pending</i>	\$0	\$0	\$120,000.00
- 7,260 Square Feet of Indoor Space			
- 8,400 Square Feet of Outdoor Space			
<b>Total:</b>	<b>\$1,885.00</b>	<b>\$17,625</b>	<b>\$187,900.0</b>





## PROJECTED ACQUISITIONS FOR 2023

While some purchases and acquisitions can be anticipated, the unanticipated replacement of existing AB481 equipment may be necessary due to damage beyond that of repair. Replacement of these items will be handled on a case-by-case basis dependent on operational and departmental need. These unexpected needs-based acquisitions will be in accordance with department policy and AB481.

### CONSUMABLE MILITARY EQUIPMENT

Consumable AB 481 military equipment acquisitions in the next 12-months will remain consistent with current department replenishment schedules and policies. Acquisitions and purchasing of these consumables will replenish quantities previously approved.

Consumable acquisitions are as follows:

- Ammunition- all calibers
- "Flashbang" Grenades, aka Diversionary Devices
- Chemical Agents and Smoke Canisters
- Specialty Munitions (40mm and Less Lethal Munitions)

Non-consumable acquisitions are as follows and outlined in the accompanied staff report:

- The Department is seeking authorization to acquire non-weaponized seven (7) unmanned aerial system (UAS) devices and one (1) unmanned ground vehicle (UGV) device in FY24. The seven UAS devices include three (3) smaller devices for rapid deployment in patrol, two (2) for collision and crime scene documentation which integrates with existing forensic software, and two for the Crisis Response Team (CRT) comprised of Special Weapons and Tactics (SWAT) and the Crisis Negotiations Teams.
- The Department is seeking authorization to acquire one (1) non-weaponized Unmanned Ground Vehicle (UGV) in FY24 for the Crisis Response Team (CRT) comprised of Special Weapons and Tactics (SWAT) team.

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## CONCLUSION

This Annual Military Equipment Use Report is intended to not only adhere to the law and Department policy, it also demonstrates our commitment to transparency with information provided to our community and our governing body, the City Council. The equipment, resources, and training outlined in this report allow Department personnel to protect our community and enhance the safety of the public and our officers. We firmly believe responsible use of the equipment described in this report enhances our ability to deliver the highest level of professional, efficient and effective public safety services when faced with incidents requiring a thoughtful law enforcement response.

In addition to this annual report, the Office of the Independent Police Auditor will include a review of this report and policy section 709 and additional reporting related to compliance with AB481 will be included in their regular reports to the City Council.

Understanding law enforcement tactics, training, and readiness is a partnership between the police and the community we serve, and we will continue to do all we can to prepare, prevent, and guard against harmful actions of a few individuals. As a Department, we take pride in our mission statement of "***Working with our community to provide professional police services since 1858.***"

General Contact information:

**Petaluma Police Department, Professional Standards Division**

Via email to: [petalumapoliceequipment@cityofpetaluma.org](mailto:petalumapoliceequipment@cityofpetaluma.org)

Via phone call to 707-778-4372

For more information on the Petaluma Police Department's Military Equipment visit:

<https://cityofpetaluma.org/police-department-specialized-equipment/>

**Office of the Independent Police Auditor**

<https://www.petalumapoliceauditor.org/>

Via email to: [policeauditor@cityofpetaluma.org](mailto:policeauditor@cityofpetaluma.org)

[Via phone call to 707-927-0727](tel:7079270727)

## ATTACHMENT(S):

1. Annual Military Equipment Inventory





Petaluma Police Department  
 Policy 709 - Military Equipment Funding Acquisition, and Use  
**Attachment A**  
**Annual Military Equipment Use Report**  
 June 2022 to June 2023

Note: The inventory of certain items of consumable military equipment (i.e. ammunition, diversionary devices, chemical agents, etc.) frequently fluctuates throughout the year due to operational usage, training usage, operational wear, and/or manufacturer recommended replacement guidelines. While the Petaluma Police Department strives to provide accuracy in its inventory reporting, this report reflects approximations of certain consumable items of military equipment during the report period listed above.

**Category 1**

**Unmanned Aircraft System (UAS) - Unmanned Ground Vehicle (UGV)**

Equipment Name and Model / Manufacturer	Quantity
Inventory FY23	0
Intended to Acquire FY24 UAS = 7 UGV = 1	8

**Category 2**

**Armored Personnel Carrier (Armored Rescue Vehicle)**

Equipment Name and Model / Manufacturer	Quantity
MRAP, Department of Defense	1
M-ATV, Department of Defense	1

**Category 5**

**Command and Control Vehicles (Mobile Command Vehicle)**

Equipment Name and Model / Manufacturer	Quantity
Mobile Command Vehicle, Custom Built 40' Freightliner by LDV, Inc	1

**Category 7**

**Battering rams, slugs, and breaching apparatuses explosive in nature**

Equipment Name and Model / Manufacturer	Quantity
Breaching Projectiles: Safariland Tactical Breaching Round Model TKO	50

<b>Category 10</b> <b>Specialized Firearms and Ammunition of less than .50 cal, Including Assault Weapons</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>Rifles</b>	
<b>Remington Model 700 .308 Bolt-Action</b>	<b>3</b>
<b>Spartan Precision A3 6.5 Creedmoor Bolt-Action</b>	<b>1</b>
<b>Tikka T3 6.5 Creedmoor Bolt-Action</b>	<b>4</b>
<b>Munitions</b>	
<b>.308 Winchester</b>	<b>500</b>
<b>6.5 Creedmoor</b>	<b>2500</b>

<b>Category 12</b> <b>Flashbangs, Chemical Agents, Chemical Agent Delivery Devices, and Pepper Ball Launchers</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>Defense Technology Low-Roll Flash Bang</b>	<b>20</b>
<b>Launching Cup Defense Technology #1350</b>	<b>2</b>
<b>Defense Technology Riot Control Continuous Discharge CS Grenade Outdoor #1082</b>	<b>20 canisters</b>
<b>Defense Technology Flameless Tri-Chamber CS Grenade Indoor #1032</b>	<b>16 canisters</b>
<b>Defense Technology Flameless Expulsion CS Grenade Indoor #2042</b>	<b>6 canisters</b>
<b>Defense Technology Maximum HC Smoke Canister Outdoor #1083</b>	<b>4 canisters</b>

<b>Category 14</b> <b>40mm Launchers and Munitions</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>40mm Launchers</b>	
<b>40mm Multi-Round Launcher Defense Technology Impact Device #1440</b>	<b>1</b>
<b>40mm Single Round Launcher Defense Technology Impact Device #1425</b>	<b>8</b>

<b>40mm Munitions</b>	
<b>Defense Technology Impact Round Exact Impact Sponge #6325</b>	<b>47 rounds</b>
<b>Defense Technology Impact Round Multiple Rubber Baton #6064</b>	<b>10 rounds</b>
<b>Defense Technology Impact Round Stinger 32 Caliber Rubber Balls #6296</b>	<b>6 rounds</b>
<b>Ferret 40mm Liquid Barricade Penetrator Round #2262 / Defense Technology</b>	<b>12 rounds</b>
<b>Defense Technology Direct Impact Chemical Agent Oleoresin Capsicum (OC) aka Pepper Spray #6320</b>	<b>25 rounds</b>
<b>Defense Technology Direct Impact Chemical Agent 0-chlorobenzylidenemalononitrile (CS) #6322</b>	<b>25 rounds</b>
<b>Defense Technology Chemical Agent Ferret Powder Barricade Penetrator 0-chlorobenzylidenemalononitrile (CS) #2292</b>	<b>12 rounds</b>
<b>Less Lethal Shotgun</b>	
<b>Model 870, 12-Gauge Shotgun / Remington Firearms</b>	<b>27</b>
<b>Less Lethal Munitions</b>	
<b>SWAT/Patrol Kinetic Energy Projectile 12 Gauge Safariland drag stabilizing "bean bag" round</b>	<b>250 rounds</b>

# Military Equipment Funding, Acquisition, and Use Policy

## 709.1 PURPOSE AND SCOPE

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

*Adopted by Chief Ken Savano June 6, 2022*

**Revised DRAFT Approved by Chief Ken Savano July 7, 2023 for City Council Review August 7, 2023**

### 709.1.1 DEFINITIONS

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

**Governing Body** – The elected or appointed body that oversees the Department.

**California Government Code defined "Military Equipment"**– Includes but is not limited to the following categories:

- **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 of .50 caliber or greater, excluding standard-issue shotguns.
- Ammunition of .50 caliber or greater, excluding 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, explosive breaching tools, "tear gas," and "pepper balls," excluding standard issue pepper spray.**



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### *Military Equipment Funding, Acquisition, and Use Policy*

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- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- **Kenetic energy "bean bag"ammunition, or munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.**
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

*Categories in bold text represent the categories of equipment possessed or intended to be possessed by the Petaluma Police Department.*

#### **709.2 POLICY**

It is the policy of the Petaluma Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment. It is also the policy of this Department to utilize these resources city-wide to respond to emergencies, disasters, and during mission and purpose specific operations in other City Departments.

##### **709.2.1 MILITARY EQUIPMENT TYPES AND USAGE GUIDELINES**

- (a) The military equipment acquired and authorized by the Department is:
  - (a) Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
  - (b) Reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (b) Military equipment shall only be used by a department employee only after applicable training, including any course required by the Commission on Peace Officer Standards and training has been completed.

Petaluma Police Department military equipment includes the following AB481 categories:

#### **Category 1 – Unmanned, remotely piloted, powered aerial or ground vehicles**

**(a) Unmanned Aerial Systems (UAS)** - An unmanned aerial system of any type that is capable of sustaining directed flight, whether pre-programed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

**Capability:** UAS can support first responders by providing aerial audio and video access in any hazardous incident, search and rescue operation, or crime/collision scene investigation/documentation which would benefit from an aerial perspective from a safe distance.

**Usage:** The guidelines for the use of UAS are further detailed in Petaluma Police Department Policy 613 – Unmanned Aerial System (UAS) and Unmanned Ground Vehicle (UGV) operations. Usage can include the following:

Responding to emergency and disaster scenes to safely provide real time video and audio information to the Incident Commander or the Emergency Operations Center (EOC), conducting searches of structures and vehicles during high-risk incidents including the

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service of high-risk search and arrest warrants, hostage rescue operations, apprehension of barricaded suspects, search/evacuation/rescue of individuals from an area or emergency scene, securing the scene and perimeter at a controlled substance laboratory or hazardous material spill, inner perimeter containment at emergency scenes and disasters, crowd control/civil disobedience only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage, to record and document crime/collision/disaster scenes for investigations and local, state, and federal disaster reporting requirements, and to assist in searches for missing persons, suspects or evidence.

Prohibited use of UAS's include the following:

- Conducting random surveillance activities
- Targeting a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation
- Harassment, intimidation or discrimination against any individual or group, or to conduct personal business of any type.
- UAS's shall not be weaponized.
- Usage that does not comply with the 4th Amendment related to searches and seizures (See PPD Policy 613.3)

**Training Requirements:** The training requirements for the operation of UAS and UGV are outlined in Petaluma Police Department Policy 613 – Unmanned Aerial System (UAS) Operations and Unmanned Ground Vehicle (UGV). UAS pilots attend all POST required UAS courses. They are license by the Federal Aviation Administration after completing a written knowledge test. Field and Evidence Technicians attend a specific UAS crime scene and accident scene investigations mapping course.

**Initial Cost:** Approximately \$30,000.00 to develop and deploy a UAS program.

**Date Acquired:** TBD

**Fiscal Impact:** : Approximately \$5,500.00 for annual maintenance and replacement schedules.

**Lifespan:** 3-5 years

**Quantity:** Currently 0, intending to acquire 7 (see below)

The Department intends to purchase the following types of UAS:

- (a) DJI – Mavic 2 Enterprise UAS for Crime Scene and Collision Scene Investigations)

Manufacturer: DJI

Manufacturer Description: <https://www.dji.com/mavic-2-enterprise>

Quantity: 2

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- (b) DJI – Mavic Pro UAS for Patrol Rapid Deployment

Manufacturer: DJI

Manufacturer Description: <https://www.dji.com/mavic>

Quantity: 3

- (c) Loki MKII for Crisis Response Unit - SWAT

Manufacturer: Loki

Manufacturer Description: <https://loki.aardvarktactical.com/>

Quantity: 2

**(b) Unmanned Ground Vehicle (UGV)** - An unmanned ground vehicle of any type that is capable of being remotely controlled as well as all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

**Capability:** UGV's can support first responders by providing ground level video and audio access in any hazardous or dangerous incident without placing first responders in harms way from a safe distance.

**Usage:** The guidelines for the use of UGV's are further detailed in Petaluma Police Department Policy 613 – Unmanned Aerial System (UAS) and Unmanned Ground Vehicle (UGV) operations. The unmanned ground vehicle will primarily be used by SWAT team members who have been trained in its use. UGV usage can include the following:

Responding to emergency and disaster scenes to safely provide real time video and audio information to the Incident Commander or the Emergency Operations Center (EOC), conducting searches of structures and vehicles during high-risk incidents including the service of high-risk search and arrest warrants, hostage rescue operations, apprehension of barricaded suspects, search/evacuation/rescue of individuals from an area or emergency scene, securing the scene and perimeter at a controlled substance laboratory or hazardous material spill, inner perimeter containment at emergency scenes and disasters, crowd control/ civil disobedience only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage, to record and document crime/collision/disaster scenes for investigations and local, state, and federal disaster reporting requirements, and to assist in searches for missing persons, suspects or evidence.

**Training Requirements:** SWAT Officers authorized to operate tracked robots are required to successfully complete a POST approved SWAT Training and Certification Course and are subject to classroom and practical application training in the use of the UGV. Additionally, SWAT Officers regularly train on safe robot deployment in a variety of operational settings.

**Initial Cost:** Approximately \$15,000.00 to develop and deploy a UGV program.

**Lifespan:** 5 years



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**Fiscal Impact:** Approximately \$5,000.00 for annual maintenance and replacement schedules.

**Quantity:** Currently 0, intending to acquire 1 (see below)

The Department intends to purchase the following types of unmanned ground vehicle:

- (a) Sigyn MK1 Robot for Crisis Response Team (SWAT)

Manufacturer: Aardvark

Manufacturer Description: <https://aardvarktactical.com/sigyn/>

Quantity: 1

#### **CATEGORY 2 – ARMORED PERSONNEL CARRIERS (Armored Rescue Vehicles)**

**(a) Armored Rescue Vehicles (ARV) :** Military grade and produced wheeled armored personnel vehicles utilized for law enforcement purposes.

**Capability:** The Mine Resistant Armored Personnel (MRAP) vehicle supports the Crisis Response Team (CRT) which includes the Special Weapons and Tactics (SWAT) Team, Crisis Negotiators, and Tactical Dispatchers, and patrol during critical incidents and natural disasters by providing greater safety to community members and first responders from police, fire, and public works.

**Usage:** The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

An officer may request to deploy the Armored Rescue Vehicle in a planned operation by making the request through the chain of command. The request should include, but is not limited to the date and time frame of the operation, location(s), and the reason why the Armored Rescue Vehicle is necessary for the success of the operation. Approval to deploy an Armored Rescue Vehicle will be the responsibility of the SWAT Commander or the On-Duty Watch Commander. Notification up the chain of command to the Professional Standards Division and the Office of The Chief of Police shall be made as soon as possible.

Unless otherwise indicated in this policy, an Armored Rescue Vehicle will only be used for incidents that involve actual, threatened, or suspected violence. Investigations of misdemeanor crimes must involve a firearm or other weapon capable of projecting a dangerous weapon from a distance when standard patrol shields would not provide adequate protection or are not immediately available for an Armored Rescue Vehicle to be used.

Generally, an Armored Rescue Vehicle will not be utilized in crowd control situations or during times of civil unrest, protest, or demonstrations unless clear articulable facts dictate the need to deploy the Armored Rescue Vehicle (shots fired, suspected violence involving firearms, actual or suspected presence of explosives, etc.).



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An Armored Rescue Vehicle may be deployed during natural disasters and rescue/emergency operations that necessitate the deployment of the Armored Rescue Vehicle's equipment and capabilities.

Nothing in this policy is meant to preclude the immediate deployment of an Armored Rescue Vehicle to perform an officer or citizen rescue, to save lives that could be placed in imminent danger of great bodily injury or death.

**Training Requirements:** Officers are to be trained in the operation of the Armored Rescue Vehicle prior to actual use. Officers not assigned to the SWAT Team may be trained on operating procedures for the Armored Rescue Vehicle but will not be authorized to operate the Armored Rescue Vehicle absent exigent circumstances.

The Department has the following Armored Rescue Vehicles:

**1. MINE RESISTANT ARMORED PERSONNEL CARRIER, MRAP M1266A1.**

**Initial Cost:** \$0 obtained through Defense Re-utilization and Marketing Program, vehicle replacement cost: \$733,000.00.

**Date Acquired:** 2018

**Fiscal Impact:** Approximately \$10,000.00 annual maintenance.

**Lifespan:** 25 Years

**Quantity:** 1- [See attachment A: Military Equipment Inventory.pdf](#)

**2. MINE RESISTANT AMBUSH PROTECTED ALL-TERRAIN VEHICLE, M-ATV M1240A1**

**Initial Cost:** \$0 obtained through Defense Re-utilization and Marketing Program, vehicle replacement cost: \$575,000.00.

**Date Acquired:** 2019

**Fiscal Impact:** Approximately \$10,000.00 annual maintenance.

**Lifespan:** 25 years

**Quantity:** 1- [See attachment A: Military Equipment Inventory.pdf](#)

### **CATEGORY 5 – MOBILE COMMAND VEHICLE (COMMAND & CONTROL)**

**(a) Mobile Command Vehicle (MCV):** Completely self-contained command post designed to provide the Incident Commander or Emergency Operations Center with a mobile base of operation from the field for large scale planned events, or if the main dispatch center is no longer functional due to system failure, fire, or natural disaster. The Department's Mobile Command Vehicle is a custom built 40-foot Freightliner produced by LDV, Inc and funded by Homeland Security and Urban Area Security Initiative funding from State and Federal agencies.

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**Description:** Custom mobile command vehicle fully equipped with interoperable radio communications center and twelve work stations to be used for in field command and control of emergency scenes, large public events, and sobriety checkpoints. Due to the vehicle's custom features, an exact manufacturer's description is unavailable.

**Capability:** As a mobile base of operation, these vehicles contain specialized command, control, and communications equipment to assist with scene/incident management.

**Usage:** Mobile Command Vehicles (MCV) are to be utilized as an Incident Command Post for planned or unplanned events, such as command and control for communications for emergencies, investigation scene processing, special operations and events.

**Training requirements:** The training requirements for Mobile Command Vehicles are specific to the California Department of Motor Vehicles testing and evaluation for drivers. All other training is agency-authored orientation training with annual refresher training.

**Justification:** Provides public safety with a command post during critical incidents, natural disasters, and other large-scale events to provide high visibility and public safety.

**Initial Cost:** Purchased in 2010 with a \$462,000 Office of Traffic Safety Grant and \$100,000 Homeland Security Grant.

**Date Acquired:** 2010

**Fiscal Impact:** Approximately \$10,000.00 annual maintenance.

**Lifespan:** 25 years

**Quantity:** 1- [See attachment A: Military Equipment Inventory.pdf](#)

#### **Category 7 - Battering Rams, Slugs, and Breaching Apparatuses that are explosive in nature**

**(a) Specialized Shotguns and Ammunition** - During crisis situations, it may become necessary for a SWAT team to facilitate an entry into a structure or vehicle. As an element of surprise during rescue operations, it is critical the point of entry is breached quickly and as safely as possible to allow the tactical team to enter as quickly as possible. A quick and effective breach is one key to a successful tactical mission. In some instances, a breach initiated by a breaching shotgun loaded with specialized breaching rounds may be required to provide an added degree of safety and tactical advantage in order to accomplish a mission. Specialized Breaching Rounds are frangible and are designed to break into a powder form upon impact with a solid object (i.e., dead bolt lock, door frame, etc.) The Department possesses a limited inventory of breaching shotguns and ammunition which is only to be used by trained members of the Crisis Response Team (SWAT).

**Capability:** Shotgun breaching, the use of a breaching shotgun to affect a breach, can be an effective option in SWAT Team tactical operations. An effective breach is where the least amount of explosive breaching rounds are used. An effective shotgun breach can defeat

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fortified doors and locks. Effective breaching techniques allow tactical officers immediate entry with minimal risk to victims, officers, and suspects.

**Usage:** Breaching shotgun ammunition are to be exclusively used by the Crisis Response Team (SWAT). Breaching shotguns are used to breach doors expeditiously and can be used in response to barricaded suspects, hostage rescue incidents, and active shooters. Breaching shotguns are dual-purpose in that they can be used to fire a breaching round as well as other standard issue 12 gauge duty ammunition when used in accordance with use of force and firearms policies.

**Training Requirements:** SWAT Officers that are trained in the use of breaching shotguns must successfully complete a POST approved SWAT training and certification course. Furthermore, SWAT Officers must undergo regular extensive classroom and live fire proficiency training in its application. The Department currently possesses the following types of breaching shotgun ammunition.

**Fiscal Impact:** \$5.00 per round

**Lifespan:** 5 years

The Department utilizes the following Specialized Shotgun Ammunition:

1. Tactical Breaching Round Model TKO

Manufacturer: Safariland

Manufacturer Description: <https://www.defense-technology.com/product/tko-12-gauge-breaching-round/>

**Quantity:** 50 - [See attachment A: Military Equipment Inventory.pdf](#)

**Category 10 - Specialized Firearms and ammunition of less than .50 caliber, including Assault Weapons as defined, with the exception of standard issued service weapons and ammunition**

**(a) .308 Bolt Action Rifles** : A bolt action shoulder-fired rifle with precision optics that fires a .308 Winchester cartridge.

**Capability:** The .308 bolt action rifle provides the Crisis Response Team (SWAT) Snipers the ability to safely engage armed and dangerous hostile suspects at great distances with precision accuracy to protect officers and victims from death or great bodily injury. The .308 bolt action rifle platform allows for precision rifle fire to be delivered with an operational range between 0-1000 yards.

**Usage:** .308 bolt action rifles are to be used exclusively by officers assigned to the Crisis Response Team (SWAT) Sniper Team. These rifles are typically deployed with two officer SWAT Sniper Teams during high-risk SWAT operations, large special events or instances wherein Sniper Over Watch Teams are needed like dignitary protection or pre-deployment to engage an active shooter.



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Situations involving the use of a specialized rifle may include but are not limited to:

1. When training at an approved range.
2. To protect the officer or others from what the officer reasonably believes to be an imminent threat of death or serious bodily injury.
3. To effect the arrest or prevent the escape of a fleeing felony suspect if the officer has reasonable cause to believe that:
  - a. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force.
  - b. There is a substantial risk that the person to be arrested will cause death or serious bodily harm if the apprehension is delayed.
  - c. To kill a seriously injured animal or a dangerous animal that is attacking the officer or another person or persons, or which if allowed to escape, presents a danger to the public.
4. To kill a seriously injured animal or a dangerous animal that is attacking the officer or another person or persons, or which if allowed to escape, presents a danger to the public.
  - a. With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). If circumstances permit, an officer should attempt to contact a possible owner prior to euthanizing the animal.

Training Requirements: SWAT Snipers Teams must successfully complete a POST certified Basic SWAT Operator course to be eligible for Sniper selection. SWAT Snipers must complete a POST certified Basic Sniper School, and regularly train and qualify with various weapons systems including the .308 semi-automatic rifle to maintain proficiency.

The Department utilizes the following .308 bolt action rifles:

1. Remington Model 700 - Training Rifles

**Manufacturer:** Remington

**Manufacturer Description:** [www.Remington.com](http://www.Remington.com)

**Date Acquired:** 2006/2007

**Lifespan:** 10 years or operational use.

**Fiscal Impact:** \$4,000.00 each

**Quantity:** 3 - [See attachment A: Military Equipment Inventory.pdf](#)

**(b) 6.5 Creedmoor Bolt Action Rifles :** A semi-automatic shoulder-fired rifle with precision optics that fires a 6.5 Creedmoor cartridge.

**Capability:** The 6.5 Creedmoor bolt action rifle provides SWAT Snipers the ability to safely engage armed and dangerous hostile suspects at great distances with accuracy. The 6.5



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Creedmoor bolt action rifle platform allows for precision rifle fire with an operational range is between 0-1000 yards.

**Usage:** 6.5 Creedmoor Bolt Action rifles are to be used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.

Situations involving the use of a specialized rifle may include but are not limited to:

1. When training at an approved range.
2. To protect the officer or others from what the officer reasonably believes to be an imminent threat of death or serious bodily injury.
3. To effect the arrest or prevent the escape of a fleeing felony suspect if the officer has reasonable cause to believe that:
  - a. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force.
  - b. There is a substantial risk that the person to be arrested will cause death or serious bodily harm if the apprehension is delayed.
4. To kill a seriously injured animal or a dangerous animal that is attacking the officer or another person or persons, or which if allowed to escape, presents a danger to the public.
  - a. With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). If circumstances permit, an officer should attempt to contact a possible owner prior to euthanizing the animal.

**Training Requirements:** SWAT Snipers must successfully complete a POST certified Basic SWAT Operator course to be eligible for Sniper selection. SWAT Snipers must complete a POST certified Basic Sniper School, and regularly train and qualify with various weapons systems including the 6.5 Creedmoor bolt action rifle to maintain proficiency.

The Department has the following 6.5 Creedmore bolt action rifles:

1. Spartan 6.5 Creedmoor Bolt Action A3

Manufacturer: Spartan Precision Rifle

Manufacturer Description: Spartan precision rifle for SWAT Team Snipers/Observers

**Fiscal Impact:** \$6,500.00

**Date Acquired:** 2019

**Lifespan:** 10 years or operational life

**Quantity:** 1 - [See attachment A: Military Equipment Inventory.pdf](#)

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2. Tikka T3x TACT A16.5 Creedmoor Bolt Action Rifle (Quantity: 4)

Manufacturer: Tikka

Manufacturer Description: <https://www.tikka.fi/en-us/rifles/tikka-t3x/t3x-tact-a1>

**Fiscal Impact:** \$1,625 per rifle

**Date Acquired:** 2019

**Lifespan:** 10 years or operational life

**Quantity:** 4 - [See attachment A: Military Equipment Inventory.pdf](#)

**(c) .308 Caliber Rifle Ammunition:** Rifle ammunition manufactured specifically for rifles chambered in .308 Winchester. Currently there are various types of .308 Winchester caliber rifle ammunition in use by the Department.

**Capability:** .308 Winchester rifle ammunition used in conjunction with a rifle chambered in .308 Winchester provides SWAT Snipers the ability to safely engage armed and dangerous hostile suspects at great distances with precision rifle fire.

**Usage:** .308 Winchester ammunition in conjunction with rifles chambered in .308 Winchester is to be used exclusively by officers assigned to the SWAT Sniper Team. This ammunition and .308 rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.

**Training Requirements:** SWAT Snipers must successfully complete a POST certified Basic SWAT Operator course to be eligible for Sniper selection. SWAT Snipers must complete a POST certified Basic Sniper School, and regularly train and qualify with various weapons systems including the .308 bolt action rifle to maintain proficiency.

**Fiscal Impact:** Approximately \$2.00 per round

**Lifespan:** Approximately 10-year shelf life.

**Quantity:** 500 - [See attachment A: Military Equipment Inventory.pdf](#)

**(d) 6.5 Creedmoor Rifle Ammunition :** Rifle ammunition manufactured specifically for rifles chambered in 6.5 Creedmoor Rifle. Currently there are various types of 6.5 Creedmoor caliber rifle ammunition in use by the Department.

**Capability:** 6.5 Creedmoor rifle ammunition used in conjunction with a rifle chambered in 6.5 Creedmoor provides SWAT Snipers the ability to safely engage armed and dangerous hostile suspects at great distances with precision rifle fire.

**Usage:** 6.5 Creedmoor ammunition in conjunction with rifles chambered in 6.5 Creedmoor is to be used exclusively by officers assigned to the SWAT Sniper Team. This ammunition and 6.5 Creedmoor rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.

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**Training Requirements:** SWAT Snipers must successfully complete a POST certified Basic SWAT Operator course to be eligible for Sniper selection. SWAT Snipers must complete a POST certified Basic Sniper School, and regularly train and qualify with various weapons systems including the 6.5 Creedmoor bolt action rifle to maintain proficiency.

**Fiscal Impact:** Approximately \$1.35 per round

**Lifespan:** Approximately 10-year shelf life.

**Quantity:** 2500- [See attachment A: Military Equipment Inventory.pdf](#)

#### **Category 12- Noise-Flash Diversionary Devices "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls,"excluding standard, service-issued handheld pepper spray**

**(a) Diversionary Devices aka Flashbangs** : Canisters that emit a loud noise and bright light.

**Capability:** Diversionary devices are capable of releasing large amounts of stored energy in the form of heat, light, pressure, and noise. They are intended to temporarily distract, confuse, and disorient suspects. They can also be used to get the attention of a suspect during a critical incident to allow for communications and de-escalation strategies by crisis negotiators.

**Usage:** Diversionary Devices are to be used exclusively by the SWAT Unit. Diversionary Devices can be used in high-risk tactical operations as an attention getting device. They can also be used during high-risk warrants, hostage rescue incidents, and some mobile field force incidents to provide an added degree of officer safety by disorienting subjects.

**Training Requirements:** SWAT Officers must successfully complete a Basic SWAT Operator training and are subject to ongoing extensive classroom and practical application training in the use of the Diversionary Devices.

Additionally, SWAT Officers regularly train on safe device deployment in a variety of operational settings.

The Department has the following "Flashbang" Grenades:

##### **1. Defense Technology Low Roll Flash Bang**

**Manufacturer:** Defense Technology

**Manufacturer Description:** <https://www.defense-technology.com/product/low-roll-ii-11-gram-non-reloadable-distraction-device-high-humidity/>

**Fiscal Impact:** \$65 per unit.

**Lifespan:** 5 years

**Quantity:** 20 - [See attachment A: Military Equipment Inventory.pdf](#)

**(b) Chemical Agents and Chemical Agent Delivery Devices** : Compounds, devices, and delivery systems utilized by SWAT, which are not part of standard issued equipment (OC



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pepper spray). Compounds can include irritants such as Chlorobenzalmalononitrile (CS) or an inflammatory agent such as Oleoresin Capsicum (OC) or Pava (synthetic OC). Chemical agents can be liquid, powder, or gaseous. Delivery systems can be pyrotechnic, blast dispersion, OC Fogger, or aerosol.

**Capability:** Depending on the delivery method, chemical agents are capable of being introduced in close proximity or from a distance. Depending on the type of delivery system and/or quantity, chemical agents can be used to saturate individual suspects, violent crowds, or areas of varied size.

**Usage:** Chemical agents are to be used exclusively by the SWAT Unit. Generally, during high-risk tactical incidents chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to citizens, police, and the suspect. Chemical agents can also be used to prevent an armed suspect from accurately firing at citizens and/or officers. They can also be used in limited instances during civil unrest when objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including the officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control. See Penal Code 13652.

**Training Requirements:** SWAT Officers authorized in the use of chemical agents have completed extensive chemical agent training upon successfully completing Basic SWAT Operator and Chemical Agent training. SWAT Officers receive regular training on the deployment and use of chemical agents. SWAT Officers are required to pass annual qualifications with the use of chemical agents and chemical agent delivery systems in order to maintain proficiency.

The Department currently possesses the following types of chemical agents:

1. Defensive Technology – Model 1082 (Outdoor CS Grenade)

Manufacturer: Defense-Technology

Manufacturer Description: <https://www.defense-technology.com/product/riot-control-continuous-discharge-grenade-cs/>

2. Defensive Technology – Model 1032 (Indoor CS Grenade)

Manufacturer: Defense-Technology

Manufacturer Description: <https://www.defense-technology.com/product/flameless-tri-chamber-cs-grenade/>

3. Defensive Technology – Model 2042 (Flameless CS Grenade)

Manufacturer: Defense-Technology

Manufacturer Description: <https://www.defense-technology.com/?s=2042>

4. Defensive Technology – Model 1083 (HC Smoke Canister)

Manufacturer: Defense-Technology



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Manufacturer Description: <https://www.defense-technology.com/?s=1083>

5. Defense Technology – Model 1350 (Tear Gas Launching Cup) (Quantity: 2)

Manufacturer: Defense Technology

Manufacturer Description: [Defense Technology \(defense-technology.com\)](https://www.defense-technology.com)

**Fiscal Impact:** \$25 to \$45 per unit.

**Lifespan:** 5 years

**Quantity:** 2 - [See attachment A: Military Equipment Inventory.pdf](#)

#### **Category 14 Projectile launch platforms and their associated specialty munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons**

**(a) .40mm Launchers (Projectile Launch Platforms):** A single shot or multi-shot 40mm projectile launcher capable for firing a variety of 40mm rounds (40mm launchers are considered "Projectile Launch Platforms" under AB-481).

**Capability:** 40mm launchers are capable of firing a variety of munitions with a maximum effective range of one hundred twenty (120) feet. 40mm launchers can deliver 40mm munitions in the form of chemical agents, sponge baton rounds, or combined use sponge baton OC chemical agent rounds.

**Usage:** 40mm launchers utilized with less lethal sponge baton rounds may be deployed to impact subjects demonstrating assaultive behavior or life-threatening behavior, as defined in Department Policy. 40mm launchers utilized with less lethal sponge baton rounds may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon, within the use of force guidelines of Department Policy.

The main objectives that officers attempt to achieve in using a 40mm on a subject exhibiting any of the mentioned criteria are to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death. 40mm single launchers combined with less lethal 40mm sponge baton rounds are authorized to be used by any officer that has been trained in its use and maintains current qualifications.

40mm single shot multi-shot launchers combined with any type of 40mm chemical agent rounds are authorized to be used by SWAT Officers only.

**Training Requirements:** Officers that have been trained in the use of the 40mm single launcher undergo department training and live fire training in its use. Additionally, officers trained in the use of the 40mm single launcher must pass annual qualifications to maintain proficiency.

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SWAT Officers that are authorized to use 40mm single shot and multi-shot launchers and related munitions must successfully complete the Basic SWAT Operator training and undergo classroom and live fire training. Additionally, SWAT Officers are required to regularly train and qualify with 40mm launchers and projectile launch platforms on a regular basis to maintain proficiency.

The Department currently possesses the following types 40mm Launchers:

1. Defense Technology Model 1440 (40mm Multi-shot Launcher)

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/40mm-tactical-4-shot-launcher/> \

**Fiscal Impact:** \$1945.00 each

**Lifespan:** 25 years

**Quantity:** 1 - [See attachment A: Military Equipment Inventory.pdf](#)

2. Defense Technology – Model 1425 (40 mm Single Shot Launcher)

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/40mm-lmt-tactical-single-launcher-folding-stock/>

**Fiscal Impact:** \$740.00 each

**Lifespan:** 25 years

**Quantity:** 8 - [See attachment A: Military Equipment Inventory.pdf](#)

**(b) Beanbag Shotguns - Remington Model 870** . All Remington Model 870 12-gauge shotguns have been modified with an orange stock and fore-end.

**Capability:** Beanbag shotguns are capable of firing a 12-gauge beanbag round with a maximum effective range of sixty (60) feet.

**Usage:** Beanbag shotguns utilized with beanbag rounds may be deployed to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.

The main objectives that officers attempt to achieve in using a beanbag shotgun on a subject exhibiting any of the aforementioned criteria are to effect an investigative detention or arrest;

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control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Beanbag shotguns combined with beanbag rounds are authorized to be used by any officer that has been trained in its use and maintains current beanbag shotgun qualifications.

**Training Requirements:** Officers that have been trained in the use of the beanbag shotgun undergo agency authored orientation course and an annual refresher training.

The Department currently possesses the following types beanbag shotguns:

1. Remington Model 870

Manufacturer: Remington

Manufacturer Description: <https://www.gunbroker.com/Remington-870-Police/search?Keywords=Remington%20870%20Police&s=f>

**Date Acquired:** 2016

**Fiscal Impact:** \$400.00 each

**Lifespan:** 25 years or operational use

**Quantity:** 27 - [See attachment A: Military Equipment Inventory.pdf](#)

**(c). 40mm Ammunition:** The 40mm round is a sponge baton cartridge. The sponge round has a blue-colored nose with a black base. The casing is stainless.

**Capability:** 40mm direct impact rounds are capable of impacting a suspect at a maximum effective range of one hundred twenty (120) feet.

**Usage:** Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force. 40mm ammunition used in conjunction with 40mm launchers may be deployed to impact subjects demonstrating assaultive behavior or life-threatening behavior. 40mm ammunition used in conjunction with 40mm launchers may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon.

The main objectives that officers attempt to achieve in using an 40mm on a subject exhibiting any of the aforementioned criteria are to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death.

Situations involving the use of 40mm launchers may include but are not limited to:

1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
2. The suspect has made credible threats to harm him/herself or others.



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3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.

4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

40mm ammunition used in conjunction with a single shot 40mm launchers are authorized to be used by any officer that has been trained in its use and maintains current 40mm qualifications.

40mm single-shot multi-shot launchers combined with less lethal 40mm sponge baton rounds any type of 40mm chemical agent rounds are authorized to be used by SWAT Officers.

**Training Requirements:** Officers that have been trained in the use of the 40mm impact ammunition in conjunction with the 40mm single launcher undergo the department-authored orientation training and annual qualification.

**Fiscal Impact:** \$20-\$35 per munition

**Lifespan:** 5 years

The Department currently possesses the following types of 40mm direct impact ammunition:

1. eXact iMPact 40mm Standard Range Sponge Round – Model 6325

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/exact-impact-40-mm-standard-range-sponge-round/>

**Quantity:** 47 - [See attachment A: Military Equipment Inventory.pdf](#)

2. Multiple Rubber Baton Round 40mm – Model 6064

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/direct-impact-40-mm-oc-crushable-foam-round/>

**Quantity:** 10 - [See attachment A: Military Equipment Inventory.pdf](#)

3. STINGER® 40 MM RUBBER BALLS ROUND– Model 6296

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/stinger-37-40-mm-32-caliber-rubber-balls-round/>

**Quantity:** 6 - [See attachment A: Military Equipment Inventory.pdf](#)

4. Direct Impact 40mm CS Crushable Foam Round – Model 6322

Manufacturer: Defense Technology



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Manufacturer Description: <https://www.defense-technology.com/product/direct-impact-40mm-cs-crushable-foam-round/>

**Quantity:** 25 - See attachment A: Military Equipment Inventory.pdf

5. Direct Impact 40mm OC Crushable Foam Round – Model 6320

Manufacturer: Defense Technology

Manufacturer Description: [Direct Impact® 40 mm OC Crushable Foam Round - Defense Technology \(defense-technology.com\)](https://www.defense-technology.com/product/direct-impact-40mm-oc-crushable-foam-round/)

**Quantity:** 25 - See attachment A: Military Equipment Inventory.pdf

6. Ferret 40mm Liquid Barricade Round CS – Model 2262

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/ferret-40-mm-liquid-barricade-penetrator-round-cs/>

**Quantity:** 12 - See attachment A: Military Equipment Inventory.pdf

7. Ferret 40mm Powder Barricade Round CS – Model 2292

Manufacturer: Defense Technology

Manufacturer Description: <https://www.defense-technology.com/product/ferret-40-mm-powder-barricade-round-cs/>

**Quantity:** 12 - See attachment A: Military Equipment Inventory.pdf

**(d) Beanbag Ammunition:** The 12-gauge beanbag shotgun ammunition, commonly known as a beanbag round, consists of a fabric sock containing lead shot contained within a standard 2 ¾ inch shot shell casing.

**Capability:** Beanbag shotguns are capable of firing a 12-gauge beanbag round with a maximum effective range of sixty (60) feet.

**Usage:** Less lethal force option used to distract, disorient, and divert the attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force. Beanbag shotguns are used to defend against a threat to life or serious bodily injury or to bring an objectively dangerous and unlawful situation safely and effectively under control

The main objectives that officers attempt to achieve in using a beanbag shotgun on a subject exhibiting any of the aforementioned criteria are to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death. Beanbag shotguns combined with beanbag rounds are authorized to be used by any officer that has been trained in its use and maintains current beanbag shotgun qualifications.

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### *Military Equipment Funding, Acquisition, and Use Policy*

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**Training Requirements:** Officers that have been trained in the use of the beanbag shotgun undergo agency-authored orientation course and an annual refresher training.

The Department currently possesses the following types of Beanbag Ammunition:

1. 12 Gauge Safariland drag stabilizing "bean bag" round

Manufacturer: Safariland

Manufacturer Description: [Drag Stabilized™ 12-Gauge Bean Bag Round - Defense Technology \(defense-technology.com\)](#)

**Fiscal Impact:** \$5 per munition

**Lifespan:** 5 years

**Quantity:** 250 - [See attachment A: Military Equipment Inventory.pdf](#)

#### **709.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police should 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, or is defined 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 equipment defined as military per the California Government Code or requiring additional oversight by council direction, at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Petaluma 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.

#### **709.4 MILITARY EQUIPMENT INVENTORY**

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

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See Attached Military Equipment Inventory

#### **709.5 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 insure 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.

#### **709.6 COORDINATION WITH OTHER JURISDICTIONS**

Governing body specific equipment or 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 shall comply with their respective military equipment use policies in rendering mutual aid and any such mutual aid shall be coordinated under unified command and control of the Petaluma Police Department.

#### **709.7 USE IN EXIGENT CIRCUMSTANCES**

In exigent circumstances and with the approval of the Chief of Police or designee, military equipment may be deployed from outside entities to promote the safety and security of community members. If the Police Department acquires, borrows, or uses military equipment in exigent circumstances, it will provide written notification of the acquisition or use to the City Council as soon as practicable no later than forty eight (48) hours following the commencement of such exigent circumstance, except as prohibited by law.

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#### **709.8 ANNUAL REPORT**

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

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use (Government Code § 7072). The annual military equipment report will include the following information for the immediately preceding calendar year for each type of military equipment in department inventory.

1. A summary of how the military equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the military equipment.
3. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
4. A comprehensive fiscal report on 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. The report will include a justification for the AB 481 equipment in inventory, related costs based on need and potential use, and the options of resources that may provide the same level of safety.
5. The quantity possessed for each type of military equipment, when it was purchased, and when it was replaced.
6. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
7. Demographic information including race and ethnicity related to any military equipment use.
8. A comprehensive report on other pending Department program and equipment needs.

The Petaluma City Council and the Office of the Independent Police Auditor will use the Annual Report as a mechanism to insure the Petaluma Police Department's compliance with this Military Equipment Policy, and to help it determine whether to approve, revise, or revoke components of the Military Equipment Policy for the subsequent year. Following the adoption of the ordinance on June 20, 2022, the Police Department will produce the report annually to the City Council at the conclusion of each fiscal year (July to June).

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.



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### *Military Equipment Funding, Acquisition, and Use Policy*

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#### **709.9 COMMUNITY ENGAGEMENT**

The Petaluma Police Department complied with California Assembly Bill Number 481 May 1, 2022 deadline by giving Public Notice of a draft of this policy and the specified equipment inventory at the City Council meeting on April 18, 2022 when Public Hearing was announced for June 6, 2022. The Public Hearing on June 6, 2022 the Petaluma City Council introduced Ordinance No. 2818 N.C.S. of the City Council approving Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy, in Compliance with California Assembly Bill Number 481.

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 held in accordance with the Brown Act requirements, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment. Within that same 30 day period, the Department will host and display the military equipment and annual report so members of the community can see the equipment, receive a copy of the report, and ask questions.

#### **709.10 PUBLIC COMPLAINTS**

Pursuant to California Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions about the use of each specific type of equipment in this policy by any of the following means:

- (a) Email: [PetalumaPoliceEquipment@cityofpetaluma.org](mailto:PetalumaPoliceEquipment@cityofpetaluma.org)
- (b) Phone: 707-778-4372
- (c) USPS Mail: Petaluma Police Department, 969 Petaluma Blvd. N., Petaluma, CA 94952

Additionally, complaints can be directed to the Office of the Independent Police Auditor by any of the following means:

- (a) Email: [policeauditor@cityofpetaluma.org](mailto:policeauditor@cityofpetaluma.org)
- (b) Phone: (707) 927-0727
- (c) Online: [www.petalumapoliceauditor.org](http://www.petalumapoliceauditor.org)

The Petaluma Police Department is committed to responding to complaints, concerns and/or questions received through any of the above methods in a timely manner. Additional information regarding military equipment will be posted publicly on the city website at <https://cityofpetaluma.org/police-department-specialized-equipment/>

## Attachments

## Military Equipment Inventory.pdf





# Military Equipment Inventory

## Attachment A

Department Inventory of Military Equipment  
June 2022 to June 2023

Note: The inventory of certain items of consumable military equipment (i.e. ammunition, diversionary devices, chemical agents, etc.) frequently fluctuates throughout the year due to operational usage, training usage, operational wear, and/or manufacturer recommended replacement guidelines. While the Petaluma Police Department strives to provide accuracy in its inventory reporting, this report reflects approximations of certain consumable items of military equipment during the time period listed above.

### Category 1 - Unmanned Aircraft System (UAS) & Unmanned Ground Vehicle (UGV)

Equipment Name and Model / Manufacturer	Quantity
Specific Model to Be Determined	0

### Category 2 - Armored Personnel Carrier (Armored Rescue Vehicle)

Equipment Name and Model / Manufacturer	Quantity
MRAP, Department of Defense	1
M-ATV, Department of Defense	1

### Category 5 - Command and Control Vehicles (Mobile Command Vehicle)

Equipment Name and Model / Manufacturer	Quantity
Mobile Command Vehicle, Custom Built 40' Freightliner by LDV, Inc	1

### Category 7 – Battering rams, slugs, and breaching apparatuses that are explosive in nature

Equipment Name and Model / Manufacturer	Quantity
Breaching Projectiles: Safariland Tactical Breaching Round Model TKO	50

<b>Category 10 - Specialized Firearms and Ammunition of less than .50 cal, Including Assault Weapons</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>Rifles</b>	
<b>Remington Model 700 .308 Bolt-Action</b>	<b>3</b>
<b>Spartan Precision A3 6.5 Creedmoor Bolt-Action</b>	<b>1</b>
<b>Tikka T3 6.5 Creedmoor Bolt-Action</b>	<b>4</b>
<b>Munitions</b>	
<b>.308 Winchester</b>	<b>500</b>
<b>6.5 Creedmoor</b>	<b>2500</b>

<b>Category 12 – Flashbangs, Chemical Agents, Chemical Agent Delivery Devices, and Pepper Ball Launchers</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>Defense Technology Low-Roll Flash Bang</b>	<b>20</b>
<b>Launching Cup Defense Technology #1350</b>	<b>2</b>

<b>Chemical Agents and Smoke Canisters</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>Defense Technology Riot Control Continuous Discharge CS Grenade Outdoor #1082</b>	<b>20 canisters</b>
<b>Defense Technology Flameless Tri-Chamber CS Grenade Indoor #1032</b>	<b>16 canisters</b>
<b>Defense Technology Flameless Expulsion CS Grenade Indoor #2042</b>	<b>6 canisters</b>
<b>Defense Technology Maximum HC Smoke Canister Outdoor #1083</b>	<b>4 canisters</b>

<b>Category 14 - 40mm Launchers and Munitions</b>	
<b>Equipment Name and Model / Manufacturer</b>	<b>Quantity</b>
<b>40mm Launchers</b>	
<b>40mm Multi-Round Launcher Defense Technology Impact Device #1440</b>	<b>1</b>
<b>40mm Single Round Launcher Defense Technology Impact Device #1425</b>	<b>8</b>
<b>40mm Munitions</b>	
<b>Defense Technology Impact Round Exact Impact Sponge #6325</b>	<b>47 rounds</b>
<b>Defense Technology Impact Round Multiple Rubber Baton #6064</b>	<b>10 rounds</b>
<b>Defense Technology Impact Round Stinger 32 Caliber Rubber Balls #6296</b>	<b>6 rounds</b>
<b>Ferret 40mm Liquid Barricade Penetrator Round #2262 / Defense Technology</b>	<b>12 rounds</b>
<b>Defense Technology Direct Impact Chemical Agent Oleoresin Capsicum (OC) aka Pepper Spray #6320</b>	<b>25 rounds</b>
<b>Defense Technology Direct Impact Chemical Agent 0-chlorobenzylidenemalononitrile (CS) #6322</b>	<b>25 rounds</b>
<b>Defense Technology Chemical Agent Ferret Powder Barricade Penetrator 0-chlorobenzylidenemalononitrile (CS) #2292</b>	<b>12 rounds</b>
<b>Less Lethal Shotgun</b>	
<b>Model 870, 12-Gauge Shotgun / Remington Firearms</b>	<b>27</b>
<b>Less Lethal Munitions</b>	
<b>SWAT/Patrol Kinetic Energy Projectile 12 Gauge Safariland drag stabilizing "bean bag" round</b>	<b>250 rounds</b>





# Unmanned Aerial System (UAS) and Unmanned Ground Vehicles (UGV) Operations

## 613.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and unmanned ground vehicle (UGV) devices, also known as robots. This policy further includes guidelines for the storage, retrieval and dissemination of images and data captured by the UAS/UGV devices.

*DRAFT Adopted and Presented to City Council by Chief Ken Savano June 6, 2022*

*DRAFT Updated and Revised June 10, 2023*

### 613.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An remotely operated non-weaponized unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as a drone), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

**Unmanned Ground Vehicle (UGV)** - A remotely operated unmanned ground device, commonly referred to as a robot, that is non-weaponized and capable of ground travel whether it be pre-programmed or remotely controlled and all of the supporting or attached equipment or systems designed for the UGV device or for gathering information through imaging, recording or any other means.

## 613.2 POLICY

UAS and UGV devices may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS/UGV will be in strict accordance with constitutional and privacy rights, Federal Aviation Administration (FAA) regulations, and in compliance with the Department's Military Equipment Use Policy 709.

## 613.3 PRIVACY / 4TH AMENDMENT

The use of the UAS and/or UGV devices potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS or UGV operations.

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### *Unmanned Aerial System (UAS) and Unmanned Ground Vehicles (UGV) Operations*

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#### **613.4 PROGRAM COORDINATOR**

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS/UGV Program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.
- Ensuring that all authorized operators and observers have completed all required FAA and Department training, certifications, licensing in operation, applicable laws, policies and procedures regarding use of a Department UAS.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols that ensure retention and purge periods for UAS/UGV device recordings, training, and actual operations are maintained in accordance with established records retention schedules.
- Developing surveillance protocols for conducting criminal investigations involving a UAS/UGV device, including documentation of time spent monitoring a subject or location.
- Implementing a system for public notification of UAS/UGV device deployment.
- Developing an operational protocol governing the deployment and operation of a UAS/UGV devices including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control centers.
- Developing a protocol for fully documenting all missions.
- Developing a UAS/UGV device inspection, maintenance, and record-keeping protocol to ensure continuing safety and readiness of a device, up to and including its overhaul or expected useful life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be



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used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

- Facilitating law enforcement access to images and data captured by the UAS.
- Ensuring that established protocols are followed by monitoring and providing annual reports on the program to the Chief of Police, Independent Police Auditor, and City Council pursuant to Assembly Bill 481.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

#### **613.5 USE OF UAS/UGV DEVICE**

Only authorized operators who have completed the required training shall be permitted to operate the UAS/UGV device.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

The Division Lieutenant shall be advised of any UAS/UGV device deployment as soon as practicable and in no case, later than two (2) hours.

A UAS/UGV device may be used for the following purposes:

- To search for lost or missing at risk persons
- To search for an outstanding criminal suspect during a criminal investigation that is active (occurring in real time). An active criminal investigation means law enforcement is patrolling, surveilling, or conducting an investigation in an effort to locate and arrest or detain a suspect.
- To aid in crime, traffic collision, fire or other emergency or disaster scene processing or documentation.
- To assist emergency responders during an active critical incident, disaster, or emergency.
- Reports of suspicious items, packages, or objects where it is deemed necessary to assess the situation remotely with the UAS/UGV before human intervention.
- Bomb threats or suspected explosive devices, where the UAS/UGV can be used to conduct initial assessments, gather visual and audio information, and assist in rendering the device safe or mitigating its effects.
- Hazardous materials incidents, such as chemical spills, where the UAS/UGV can be deployed to safely evaluate the scene, gather data, and assist in determining appropriate response actions.

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- Hostage or barricade situations, where the UAS/UGV can be deployed to establish two-way communication with the subject(s) or gather real-time intelligence on the situation.
- Search and rescue operations in hazardous environments, such as collapsed structures, where the UAS/UGV can navigate confined spaces or unstable areas to locate and provide information on potential victims.
- Situations involving armed suspects or potentially violent individuals, where the UAS/UGV can be utilized to gather information, establish communication, or create a diversionary tactic to safely resolve the situation for officers and involved individuals.
- Situations involving hazardous or toxic substances, where the UAS/UGV can be deployed to assess the presence of hazardous materials and minimize the exposure risk to human responders.
- High-risk traffic stops or vehicle incidents, where the UAS/UGV can assist in gathering information or providing a remote presence to de-escalate potentially volatile situations.
- Situations where the deployment of the UAS/UGV can minimize the risk of harm to officers or the public, enhance situational awareness, or facilitate a more effective and safe response.
- During official UAS/UGV device training of operators or observers.
- To assist with other types of Departmental training or for the creation of recruitment or marketing recordings or efforts for the city organization, only with approval by the Chief of Police or his or her designee.
- To assist another law enforcement or public safety agency in situations described above, with the approval of the watch commander.

#### **613.6 PROHIBITED USE**

The UAS/UGV device video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type
- Usage that does not comply with the 4th Amendment related to searches and seizures (See 613.3).

The UAS/UGV shall not be weaponized.

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#### **613.7 COLLISION, DAMAGE, ACCIDENT, OR LOSS**

Any member who crashes, is involved in an accident with, loses, or damages a UAS/ UGV device (to include any associated components or supporting equipment) shall immediately report such incident or damage to a supervisor.

The member shall provide enough basic information to help the supervisor determine if there is a need to search for injured persons, inspect other damaged property, or decide how best to locate or retrieve the UAS/UGV device.

#### **613.8 MAINTENANCE AND INSPECTIONS**

All UAS/UGV devices shall be regularly inspected, tested, and maintained in accordance with manufacturer recommendations.

Any malfunctions or defects that may affect the safe operation of a UAS/UGV shall be reported promptly to the Program Coordinator, and the UAS/UGV shall be taken out of service until repairs are made.

#### **613.9 REPORTING, DOCUMENTATION AND REVIEW**

Any deployment or use of UAS/UGV devices shall be documented, including the rationale for deployment and outcomes in compliance with the Military Equipment Use Policy 709.

The Department shall periodically review the effectiveness and compliance of this policy and make necessary revisions to ensure its continued alignment with best practices and legal requirements.

#### **613.10 RETENTION OF UAS/UGV DATA**

Data collected by the UAS/UGV shall be retained as provided in the established records retention schedule.

**EFFECTIVE DATE  
OF ORDINANCE**

July 20, 2022

**ORDINANCE NO. 2818 N.C.S.**

Introduced by: Brian Barnacle

Seconded by: Dennis Pocekay

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA  
ADOPTING AND APPROVING PETALUMA POLICE DEPARTMENT'S MILITARY EQUIPMENT  
FUNDING, ACQUISITION, AND USE POLICY, IN COMPLIANCE WITH CALIFORNIA  
ASSEMBLY BILL NO. 481 (AB 481)**

**WHEREAS**, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (AB 481) (codified in Government Code sections 7070 through 7075.), relating to the use of military equipment as defined in the statute by California law enforcement agencies; and

**WHEREAS**, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used by local police departments; and

**WHEREAS**, the Petaluma Police Department is in possession of certain items of equipment that qualify as "military equipment" under AB 481; and

**WHEREAS**, AB 481 requires that a law enforcement agency possessing and using equipment subject to AB 481 must prepare a publicly released, written, Military Equipment Funding, Acquisition, and Use Policy including the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the use of equipment subject to AB 481; and

**WHEREAS**, the Military Equipment Policies required by AB 481 and supporting information must be adopted by California law enforcement agency governing bodies by ordinance, and be reviewed annually; and

**WHEREAS**, in compliance with AB 481, on April 18, 2022, the Petaluma Police Department submitted the draft Petaluma Military Equipment Funding, Acquisition, and Use Policy (Policy) to the City Council as City Council agenda Item 4B, and posted the proposed Policy on the City's website for 30 days before the June 6, 2022, public hearing concerning this ordinance; and

**WHEREAS**, this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378, because adoption of an ordinance authorizing the Petaluma Police department's use of existing and budgeted equipment subject to AB 481 does not meet CEQA's definition of a "project," because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

**WHEREAS**, the City Council considered the proposed AB 481 Policy at a duly noticed regular meeting on June 6, 2022 at which time all interested members of the public were provided the opportunity to provide public comment, and introduced this ordinance adopting and approving the Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy, incorporating specified changes to the ordinance and the policy approved pursuant to the ordinance in compliance with California Assembly Bill No. 481.



**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Petaluma as follows:

**Section 1. FINDINGS.** The City Council hereby finds:

1. That the foregoing recitals are true and correct and hereby incorporates them into this ordinance as findings and determinations of the City Council.
2. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378. Adoption of an ordinance authorizing the police department's use of existing and budgeted equipment subject to AB 481 does not meet CEQA's definition of a "project," because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.
3. The Petaluma Military Equipment Funding, Acquisition, and Use Policy, attached to and made a part of this ordinance as Exhibit 1 and identified as Petaluma Police Policy 709 has been posted on the City's website for at least 30 days commencing on April 18, 2022.
4. The City Council has conducted a public hearing on Policy 709 during a regularly scheduled City Council meeting on June 6, 2022, and considered all written and verbal comments, as well as the report and presentation from staff.
5. The City Council has reviewed Policy 709 and finds that it meets the requirements of State law and is consistent with the public safety provisions of the Petaluma Police Department Policy Manual.

**Section 2. PROPOSED MILITARY EQUIPMENT POLICY DETERMINATIONS.** The City Council determines that:

1. The military equipment as defined in AB 481 that is identified in Policy 709 is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. The equipment in the City's inventory that is subject to AB 481 is highly specialized equipment. Some of the AB 481 equipment that the City possesses is necessary for addressing extraordinary public safety threats, such as armored vehicles for safely entering active shooter and potential live fire incidents, and mobile command vehicles for such incidents as well as for providing first responder command and control for events such as wildfires and other natural disasters. Other AB 481 equipment that the City possesses or plans to acquire is specialized equipment for addressing extraordinary public safety threats with less than lethal means, such as drones, battering rams, slugs and breaching apparatuses, noise-flash diversionary devices, teargas, and similar non-lethal equipment.
2. Policy 709 will safeguard the public's welfare, safety, civil rights, and civil liberties by restricting the use of AB 481 equipment to circumstances in which use of such equipment is lawful and warranted to protect public safety, and by providing for reporting on the use of AB 481 equipment to ensure compliance with Policy 709.
3. Purchasing and maintaining in inventory the equipment identified in Policy 709 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety. As noted above, the City's AB 481 equipment is highly specialized and intended for extraordinary public safety threats such that there may be no available alternative that can achieve the same safety objectives. Also, much of the equipment was either received from the federal government at no cost or was previously purchased, obviating or reducing the need for new purchases.

4. Prior use of AB 481 equipment by the Petaluma Police Department complied with the policies governing the use of such equipment that were in effect at the time. There is no record of the Petaluma Police Department using equipment subject to AB 481 in a manner that did not comply with the equipment use policies in effect at the time.

**Section 3. APPROVAL OF POLICY 709.** The City Council of the City of Petaluma approves and adopts Policy 709, which is attached and made a part of this ordinance as Exhibit 1, and directs that:

1. Policy 709 shall be maintained on the Police Department's website page, as long as the Policy is in use.
2. Annually, the Police Department shall hold a well-publicized and conveniently located community engagement meeting regarding Petaluma Police Department Policy 709 and its use of equipment subject to AB 481 pursuant to Government Code section 7072 (b). This annual meeting will be noticed and conducted in accordance with the requirements that apply to legislative bodies under California Brown Act.
3. Annually, the City Council shall review this ordinance, the Policy 709 and the annual military equipment report prepared by the Police Department pursuant to Government Code section 7072, and determine by resolution whether to continue this ordinance and Policy 709 in effect or to modify Policy 709 or initiate the amendment or repeal of this Ordinance or Policy 709. This report will include demographic information including race and ethnicity related to any military equipment use. In addition to the annual report required by statute, the Petaluma Police Department will provide the City Council a quarterly report until July 2023
4. Annually, the City Council shall determine, based on the annual military equipment report submitted pursuant to Government Code section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in AB 481 and this ordinance.
5. Staff shall seek approval from the City Council prior to the acquisition or use of any specialized or military equipment, as defined in Gov't Code section 7070, that is not held in the Police Department's current inventory unless exigent circumstances exist where delaying the acquisition or use of the equipment would jeopardize the safety of the Petaluma community or members of the Police Department. If such circumstances exist, notification of the acquisition or use of the equipment, including a summary of the exigent circumstances preventing the Police Department from giving prior notice, will be provided to the City Council as soon as practicable but no later than 48 hours following the equipment's acquisition or use.
6. This ordinance and Policy 709 shall continue in effect until amended or repealed by ordinance of the City Council.

**Section 4. SEVERABILITY.** If any part of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each of its provisions irrespective of any part being held invalid.

**Section 5. EFFECTIVE DATE.** This ordinance shall become effective thirty (30) days after the date of its adoption by the Petaluma City Council.

**Section 6. POSTING/PUBLISHING OF NOTICE.** The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines.

**INTRODUCED** and ordered posted/published this 6<sup>th</sup> day of June, 2022.

**ADOPTED** this 20<sup>th</sup> day of June, 2022 by the following vote:

Ayes:	Mayor Barrett, Vice Mayor Pocekay, Barnacle, Fischer, Healy, King, McDonnell
Noes:	None
Abstain:	None
Absent:	None

DocuSigned by:  
  
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Teresa Barrett, Mayor

ATTEST:

DocuSigned by:  
  
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Kendall Rose, CMC, City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
  
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Eric Danly, City Attorney