

Military Equipment

706.1 PURPOSE AND SCOPE

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

706.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the Office.

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

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

Nevada County Sheriff's Office

Policy Manual

Military Equipment

706.2 POLICY

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

706.3 MILITARY EQUIPMENT COORDINATOR

The Sheriff should designate a member of this office to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying office equipment that qualifies as military equipment in the current possession of the Office, or the equipment the Office intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Nevada County Sheriff's Office (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the office's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Sheriff and ensuring that the report is made available on the office website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Office will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

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

[See attachment: AB 481 Inventory.pdf](#)

706.5 APPROVAL

The Sheriff or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Sheriff or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the office website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

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- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this office.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.5.1 AUTHORITY TO PURCHASE CONSUMABLE ITEMS

The Sheriff's Office shall have the discretion to purchase consumable items throughout the year, as necessary, to maintain a reasonable inventory. It is recognized that consumable military equipment items may be used for both training and enforcement purposes, potentially requiring additional purchases to maintain sufficient inventory levels.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this Office shall be approved for use and in accordance with this Office policy. Military equipment used by other jurisdictions that are providing mutual aid to this Office, or otherwise conducting law enforcement activities in this jurisdiction, shall comply with their respective military equipment use policies in performing such actions.

706.7 ANNUAL REPORT

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

The Sheriff or the authorized designee should also make each annual military equipment report publicly available on the office website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in office inventory.

706.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Office shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Office

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

706.9 COMPLIANCE

The Sheriff's Office will ensure employees comply with this policy. The Professional Standards Unit will conduct an annual audit of all military equipment. All other divisions that acquire, possess, or use military equipment shall be responsible to ensure their own compliance with this policy and will be subject to annual audit by the Professional Standards Unit. The Undersheriff will be notified of any policy violations and, if the Undersheriff deems it warranted, the violation(s) will be referred to an administrative investigation.

706.10 PUBLIC SUBMITTAL OF COMPLAINTS, CONCERNS AND/OR QUESTIONS

Any member of the public wishing to submit a complaint, concern, or question regarding the Sheriff's use of each specific type of military equipment should contact the Sheriff's Office directly so it may be addressed. Complaints, concerns, or questions can be submitted in any form (i.e. in person, telephone, email, etc). The Sheriff's Office will work diligently to timely respond to the public submittal of complaints, concerns, and/or questions regarding the Sheriff's use of each specific type of military equipment.

Members of the public may mail or call in complaints, concerns and/or questions to:

950 Maidu Ave.

Nevada City, CA 95959

(530) 265-1471

Members of the public wishing to utilize the internet, may utilize the web form located on our Sheriff's Office Website:

[Complaints, Concerns and/or Questions Link](#)

Attachments

AB 481 Inventory (4-7-2022).pdf

NEVADA COUNTY SHERIFF'S OFFICE



AB 481 MILITARY EQUIPMENT INVENTORY

Mine Resistant Ambush Protected Vehicle (MRAP)

Capabilities: Light tactical vehicles produced as part of the MRAP program that are designed specifically to withstand improvised explosive device (IED) attacks and ambushes.

The purpose of the MRAP armored vehicle is to provide ballistic protection to law enforcement and citizens from gunfire. The armored vehicle stops rifle rated rounds including .50 caliber which is commercially available and beyond the protection level of shield and personal body armor possessed by the office.

It can be utilized by trained personnel to rescue downed law enforcement and citizens. Protecting law enforcement allows them to contain the suspect and reduce the immediacy of the threat while communicating and de-escalating as required per the office's policies. Critical Incident Negotiations Team (CINT) members operate from inside the armored vehicles during search warrant and SWAT callouts where they communicate with the suspect and attempt to de-escalate.

Cost: \$0.00 (Valued at \$733,000)

Anticipated yearly cost: \$1,500

Expected life span: 25 years

Inventory: 1

Quantity Sought: 0

Legal and procedural rules for use: Class B license required to operate the vehicle. The vehicle is only intended to be used during SED approved missions or high-risk operations approved by a supervisor

Training: Training is conducted by qualified SED team members

Defense Technology - 37 MM Single Launcher

Capabilities: The 37 mm single launcher is used by law enforcement to deploy less lethal direct impact rounds, Ariel Distraction Devices, CS Ariel Distraction Devices, and smoke rounds.

The 37mm single launcher is also used by law enforcement who have been trained in the deployment and use of chemical agents. This system allows us to deploy chemical agents into a structure, vehicle, or area occupied by a barricaded subject forcing them out to a custody team and limiting the likelihood of a force-on-force encounter between law enforcement and suspects in a confined area. Range of the launcher is approximately 75 yards.

Cost: \$350

Anticipated yearly cost: \$0

Expected life span: 30 Years

Inventory: 5

Quantity Sought: 0

Legal and procedural rules for use: Lexipol Policy 303

Training: To be conducted by a POST certified instructor

Combined Systems LC5 Launching Cup
Capabilities: These launching cups attach to 12 gauge less lethal shotguns and allow law enforcement to launch canisters of chemical agents or smoke. The use of canisters often minimizes damage to the structure when utilized for deploying chemical agents on a barricaded subject. It also limits the danger to law enforcement deploying gas because they need to deploy vastly fewer canister munitions compared to liquid ferret rounds. Fewer rounds entering the house is also safer for the barricaded suspect.
Cost: \$315
Anticipated yearly cost: 0
Expected life span: 15 Years
Inventory: 5
Quantity Sought: 0
Legal and procedural rules for use: Lexipol 303.
Training: To be conducted by a POST certified instructor

Defense Technology Distraction Device - CONSUMABLE
Capabilities: Used to temporarily disorient a subject's senses. They are designed to produce a bright flash of light and an intensely loud "bang" to distract a subject and create a tactical advantage to law enforcement making contact. The flash temporarily activates all photoreceptor cells in the eye, blinding it for approximately five seconds. Afterward, effected subjects perceive an afterimage which impairs their vision. The volume of the detonation also causes temporary deafness in the subject and disturbs the fluid in the ear, causing a loss of balance.
Expected life span: 3 Years
Cost to purchase: \$36.75
Anticipated yearly cost: \$950
Inventory: 23
Quantity Sought: 30
Legal and procedural rules for use: Lexipol 404 and the SED operations manual
Training: To be conducted by a POST certified instructor

Combined Tactical Systems Baffled CS smoke grenade (Model 5230B) - CONSUMABLE
Capabilities: The Baffled CS Grenade is designed specifically for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire. The grenade expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a suspect concealed in a residence. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.60 in. and holds approximately 2.7 oz. of active agent.
Expected life span: 5 years
Cost to purchase: \$45.20
Anticipated yearly cost: \$950
Inventory: 24
Quantity Sought: 30
Legal and procedural rules for use: Lexipol Policy 303
Training: To be conducted by a POST certified instructor

Defense Technology green smoke canister (Model 1065) - CONSUMABLE
Capabilities: The Defense Technology green smoke grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 30-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movements or route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable colored smoke grenade is 6 inches tall by 2.35 inches in diameter and holds approximately 2.9 oz of active agent.
Cost: \$50.70
Anticipated yearly cost: \$250
Expected life span: 5 years
Inventory: 5
Quantity Sought: 30
Legal and procedural rules for use: Lexipol 404 and the SED operations manual
Training: To be conducted by a POST certified instructor

Defense Technology Spede-Heat 37 mm long-range round, CS canister (Model 1072) - CONSUMABLE
Capabilities: The Spede-Heat 37mm short range CS round incorporates an aluminum shell and utilizes black powder as the propellant. It is designed to deliver one dual-ported chemical canister from a 37mm launcher 75 yards to the targeted zone.
Cost: \$33.05
Anticipated yearly cost: \$140
Expected life span: 3 years
Inventory: 4
Quantity Sought: 30
Legal and procedural rules for use: Lexipol Policy 303
Training: To be conducted by a POST certified instructor

Colt, M-16A2 Commando 11.5" rifle
Capabilities: These rifles fire an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows SED to better control while inside of structures while still providing great accuracy
Cost: \$1,200.00
Anticipated yearly cost: Dependent upon required maintenance which is based on parts malfunctions and replacements.
Expected life span: 5-7 years
Inventory: 4
Quantity Sought: 0
Legal and procedural rules for use: Lexipol Policy 306
Training: All SED operators that are assigned a Colt Commando rifle have already been through the POST approved 16-hour office rifle training which qualifies them to carry this rifle. In addition, every SED operator attends an 80-hour POST certified Basic SWAT school where this weapon platform is utilized by that individual operator exclusively. Every SED operator assigned this rifle platform qualifies with it quarterly.

Colt, M-4 Carbine 16" rifle
Capabilities: These rifles fire an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It has a longer barrel than the Colt Commando rifle which allows for greater accuracy from a further distance. It is a preferable rifle platform for rural operations.
Cost: \$1,200.00
Anticipated yearly cost: Dependent upon required maintenance which is based on parts malfunctions and replacements.
Expected life span: 5-7 years
Inventory: 8
Quantity Sought: 0
Legal and procedural rules for use: Lexipol Policy 306
Training: All SED operators that are assigned a Colt Commando rifle have already been through the POST approved 16-hour office rifle training which qualifies them to carry this rifle. In addition, every SED operator attends an 80-hour POST certified Basic SWAT school where this weapon platform is utilized by that individual operator exclusively. Every SED operator assigned this rifle platform qualifies with it quarterly.

Heckler & Koch UMP .40 caliber sub-machine gun
Capabilities: These rifles fire the same munitions as our office issued handguns. It is a lightweight, compact rifle, specifically designed for close quarters.
Cost: \$2,000.00
Anticipated yearly cost: Dependent upon required maintenance which is based on parts malfunctions and replacements.
Expected life span: 5-7 years
Inventory: 3
Quantity Sought: 0
Legal and procedural rules for use:
Training: All SED operators that are assigned a Colt Commando rifle have already been through the POST approved 16-hour office rifle training which qualifies them to carry this rifle. In addition, every SED operator attends an 80-hour POST certified Basic SWAT school where this weapon platform is utilized by that individual operator exclusively. Every SED operator assigned this rifle platform qualifies with it quarterly.

40 MM Defense Technology 6-Shot Launcher (Model Penn Arms PGL-65)
Capabilities: The 40mm 6-shot launcher is used by law enforcement to deploy Exact Impact 40 mm sponge rounds. The safe effective range for the launcher is 5-131 feet.
Cost: \$2250
Anticipated yearly maintenance cost: \$50
Expected life span: 15 years
Inventory: 1
Quantity Sought: 0
Legal and procedural rules for use: Lexipol Policy 507
Training: To be conducted by a POST certified instructor

40 MM LMT Tactical Single Launcher with expandable stock (Model 1425)
Capabilities: Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single- and two-point sling attachment.
The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.
Cost: \$1,077.15
Anticipated yearly maintenance cost: \$50
Expected life span: 15 years
Inventory: 0
Quantity Sought: 1
Legal and procedural rules for use: Lexipol Policy 507
Training: To be conducted by a POST certified instructor

Defense Technology Exact Impact 40mm Standard Range Sponge Round (Model 6325) - CONSUMABLE
Capabilities: This less lethal impact round is a 40mm sponge tipped round and is deployed from our multi-shot 40mm less lethal device with a range of 5-131 feet.
Cost: \$28.65
Anticipated yearly maintenance cost: \$600
Expected life span: 5 years from date of manufacture
Inventory: 96
Quantity Sought: 100
Legal and procedural rules for use: Lexipol Policy 507
Training: To be conducted by a POST certified instructor

Recon Scout (Model XT)
Capabilities: This is a remote-controlled device that can be placed into an area and driven on two wheels. The device has a forward-facing camera, which can be viewed live.
Cost: \$13,000 in 2011 (valued at \$5,000)
Anticipated yearly maintenance cost: \$100
Expected life span: 10 Years
Inventory: 1
Quantity Sought: 0
Legal and procedural rules for use: Typically utilized during exigent circumstances or through execution of a search warrant
Training: To be conducted by an SED member who is assigned to use the device. No specialized training is required.

Freightliner (Colombia Series Chassis)

Capabilities: "Command 1" significantly increases the overall effectiveness in command and control of any large-scale event requiring either single agency response, or multi-agency response, thereby increasing public safety.

This mobile command unit brings a complete command and control mobile unit to any major or complex incident that may occur in Nevada County. This gives us the ability to monitor and communicate via multiple radio frequencies and secure space to plan critical events.

Cost: \$416, 854.85

Anticipated yearly cost: \$5,000

Expected life span: 25 years

Inventory: 1

Quantity Sought: 0

Legal and procedural rules for use: Class B license required to operate the vehicle.

Training: Due to size and complexity of this unit, it requires a Class B or greater driver's license. Once a request is granted for utilization, a driver from a pre-designated pool of trained qualified drives will deliver and setup all necessary equipment for use of this unit.