



Military Equipment Use AB 481 – Annual Report

Andrew Dally, Chief of Police



POLICE DEPARTMENT

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POLICE DEPARTMENT

Annual Reporting Requirements

AB481 requires on an annual basis the police department to seek and obtain City Council approval for future acquisition and funding of new military equipment and provide City Council and the public a report outlining how the military equipment was used, to ensure the police department is adhering to our policy and the city ordinance.

Capitola Municipal Code 2.60.050 (Reports on the use of Military Equipment) required the police department to submit to City Council and annual equipment report for each type of military equipment approved by the City Council within one year of approval, and annually thereafter for as long as the military equipment is available for use. The police department shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use.

This annual military equipment report includes all the following required information for the immediately preceding calendar year for each type of military equipment:

- 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 about 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) 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 report.
- 5) The quantity possessed for each type of military equipment.
- 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.

Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the police department will hold at least on well-publicized and conveniently located community engagement meeting, at which the public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.



POLICE DEPARTMENT

Summary of Uses (Section One)

1) Lethal Firearms and Ammunition

How equipment was used: Firearms and ammunition were deployed during daily operations and used during POST approved law enforcement training. There were no other uses for this category of equipment.

Purpose of Use: Training Exercise

2) Less-Lethal Shotgun and Less-lethal Ammunition

How equipment was used: Firearms and ammunition were deployed during daily operations and used during POST approved law enforcement training. There were no other uses for this category of equipment.

Purpose of Use: Training Exercise

Complaints or Concerns Received

1)Lethal Firearms and Ammunition

Complaint/Concern: No complaints or concerns were received.

2) Less-Lethal Shotgun and Less-lethal Ammunition

Complaint/Concern: No complaints or concerns were received.

Internal Audits of Equipment

1) Lethal Firearms and Ammunition

Results of any internal audits: There were no uses or deployments outside approved training. No additional audits were conducted.

Information about violations of the military equipment use policy: N/A

Actions taken in response: N/A

2) Less-Lethal Shotgun and Less-lethal Ammunition

Results of any internal audits: There were no uses or deployments outside approved training. No additional audits were conducted.

Information about violations of the military equipment use policy: N/A

Actions taken in response: N/A

Annual Costs

1) Lethal Firearms and Ammunition

Department Owned Firearms and ammunition from approved FY2023-24 budget.

2) Less-Lethal Shotgun and Less-lethal Ammunition

Department Owned less-lethal shotguns and ammunition from approved FY2023-24 budget.

Inventory of Equipment

- 1) Lethal Firearms and Ammunition. See Section One below.
- 2) Less-Lethal Shotgun and Less-lethal Ammunition. See Section One below.

Section One: Qualifying Equipment Owned/Utilized by the Capitola Police Department



POLICE DEPARTMENT

Lethal Weapon

Equipment Type: Semi-Automatic Patrol Rifles - These rifles are standard issue service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and the interest of transparency.

Description: Colt LE6945, semi-auto rifle, black with an adjustable stock.

Quantity Owned/Sought: 6 owned – Department **Lifespan:** 10 years

Equipment Capabilities: A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.

Manufacturer Product Description: The Colt LE6945CQ Carbine is a Gas Operated Semi-Auto rifle, chambered in 223 Remington/5.56 NATO (M4), with adjustable stock, featuring a monolithic upper receiver, 10.3" barrel, and A2 flash hider.

Purpose/Authorized Uses: The Colt M4 enables officers when in compliance with the CPD's Use of Force Policy, to address short to long-distance threats, or those threats who are heavily armed, armored, or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.

Fiscal Impacts: \$1,200.00 (each)

Legal/Procedural Rules Governing Use: Use is subject to the applicable policies 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303.

Training Required: Officers must complete a CA POST certified 16-hour patrol rifle course and annual department firearms training and qualifications as required by law and policy.



POLICE DEPARTMENT

Lethal Weapon

Equipment Type: Semi-Automatic Patrol Rifles - These rifles are personally owned and are registered with the Department under CPD policy 312.2.4 and are standard service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and the interest of transparency.

Description: Smith and Wesson M&P 15 Sport .223/5.56 with 16" barrel

Quantity Owned/Sought: 5 owned – personal **Lifespan:** 10 years

Equipment Capabilities: A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.

Manufacturer Product Description: Smith and Wesson M&P15 rifles are the ideal modern sporting rifle. Built to perform multiple uses under various conditions, M&P15 Rifles are as versatile as they are reliable. Engineered for a wide variety of recreational, sport shooting, and professional applications, M&P15 Rifles are easy to accessorize, but hard to put down. M&P15 Rifles are lightweight and rugged embodying the best combination of function and form.

Purpose/Authorized Uses: The Smith and Wesson M&P rifle enables officers when in compliance with the CPD's Use of Force Policy, to address short to long-distance threats, or those threats who are heavily armed, armored, or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.

Fiscal Impacts: \$812

Legal/Procedural Rules Governing Use: Use is subject to the applicable policies 312.2.4 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303.

Training Required: Officers must complete a CA POST certified 16-hour patrol rifle course and annual department firearms training and qualifications as required by law and policy.



POLICE DEPARTMENT

Lethal Weapon

Equipment Type: Semi-Automatic Patrol Rifles - This rifle is personally owned and is registered with the Department under CPD policy 312.2.4 and is standard service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and the interest of transparency.

Description: Sig Sauer MP 400 rifle .223/5.56 with 16" barrel

Quantity Owned/Sought: 1 owned – personal **Lifespan:** 10 years

Equipment Capabilities: A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.

Manufacturer Product Description: The Sig Sauer MP400 rifle is designed, engineered, and manufactured in America, and ready to perform whenever and wherever the need arises. SIG SAUER is combining industry-leading product innovation with decades of battle-tested experience to engineer the toughest and most accurate rifles for the military and federal agencies. It's our mission at SIG SAUER to provide our elite end-users with a complete weapons system they can depend on to prevail under any circumstance.

Purpose/Authorized Uses: Sig Sauer MP 400 rifle enables officers when in compliance with the CPD's Use of Force Policy, to address short to long-distance threats, or those threats who are heavily armed, armored, or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.

Fiscal Impacts: \$1615

Legal/Procedural Rules Governing Use: Use is subject to the applicable policies 312.2.4 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303.

Training Required: Officers must complete a CA POST certified 16-hour patrol rifle course and annual department firearms training and qualifications as required by law and policy.



POLICE DEPARTMENT

Lethal Weapon

Equipment Type: Semi-Automatic Patrol Rifles - This rifle is personally owned and is registered with the Department under CPD policy 312.2.4 and is standard service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and the interest of transparency.

Description: Rainier Arms RUC Mod 2 rifle .223/5.56 with 16" barrel

Quantity Owned/Sought: 1 owned - personal **Lifespan:** 10 years

Equipment Capabilities: A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.

Manufacturer Product Description: Rainier Arms RUC Mod2 Rifle weighs 6 lbs. empty, the Rainier Arms RUC Mod2 has a 15" RA Force Key Mod Rail, as well as the brand-new Rainier Arms Compensator (RAC), a tuned mil sped trigger, and RA MPI/HP Bolt with staked FA carrier, and much more.

Purpose/Authorized Uses: Rainier Arms RUC Mod 2 rifle enables officers when in compliance with the CPD's Use of Force Policy, to address short to long-distance threats, or those threats who are heavily armed, armored, or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.

Fiscal Impacts: \$1615

Legal/Procedural Rules Governing Use: Use is subject to the applicable policies 312.2.4 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303.

Training Required: Officers must complete a CA POST certified 16-hour patrol rifle course and annual department firearms training and qualifications as required by law and policy.



POLICE DEPARTMENT

Lethal Weapon

Equipment Type: Semi-Automatic Patrol Rifles - This rifle is personally owned and is registered with the Department under CPD policy 312.2.4 and is standard service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and the interest of transparency.

Description: BRO-SPEC15-P rifle .223/5.56 with 16" barrel

Quantity Owned/Sought: 1 owned personal **Lifespan:** 10 years

Equipment Capabilities: A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.

Manufacturer Product Description: Black Rain Ordnance manufacturing standards are prominent throughout our line of Spec Series weapons, allowing us to produce the highest quality rifle with a cost-effective price tag. The Chromoly barrels and black nitride bolt-carrier groups in the Spec Series combine to provide the reliability and dependability you expect from the BRO family of rifles. Whether it's your first rifle, a patrol weapon, or simply supplementing your collection, the Spec Series is a great addition to your lineup.

Purpose/Authorized Uses: BRO-SPEC15-P rifle enables officers when in compliance with the CPD's Use of Force Policy, to address short to long-distance threats, or those threats who are heavily armed, armored, or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.

Fiscal Impacts: \$1,050

Legal/Procedural Rules Governing Use: Use is subject to the applicable policies 312.2.4 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303.

Training Required: Officers must complete a CA POST certified 16-hour patrol rifle course and annual department firearms training and qualifications as required by law and policy.



POLICE DEPARTMENT

Lethal Weapon

Equipment Type: Semi-Automatic Patrol Rifles - These rifles will replace the Colt M4 and will be standard issue service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and the interest of transparency.

Description: Primary Weapons System MK107 with RC2 Suppressor

Quantity Owned/Sought: 6 Department Owned **Lifespan:** 10 years

Equipment Capabilities: A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.

Manufacturer Product Description: The Primary Weapons System MK107 Mod 1-M is a 7.75" semi-automatic AR-15 platform rifle. The rifle features a long stroke piston system with a three-way adjustable gas system. The size, weight, and reliability are unmatched by any standard production rifle company. The Surefire suppressor protects the operator and the public. The suppressor is proven to provide a minimal impact shift and group size to ensure accuracy in the field.

Purpose/Authorized Uses: The PWS MK107 enables officers when in compliance with the CPD's Use of Force Policy, to address short to long-distance threats, or those threats who are heavily armed, armored, or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.

Fiscal Impacts: \$2,049 (each)

Legal/Procedural Rules Governing Use: Use is subject to the applicable policies 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303.

Training Required: Officers must complete a CA POST certified 16-hour patrol rifle course and annual department firearms training and qualifications as required by law and policy.



POLICE DEPARTMENT

Lethal Ammunition

Equipment Type: Speer Gold Dot Duty Ammunition .223 Caliber 55 grain rifle round.

Description: Speer Gold Dot features nickel-plated brass cases and Boxer primers and is a non-corrosive round. The Gold Dot projectile goes through a process of joining the jacket and core one molecule at a time which eradicates the potential for the leading cause of bullet failure (jacket/core separation). This process will guarantee extraordinary weight retention through barriers as strong as auto-glass. Gold Dot rifle ammunition asserts remarkable accuracy with exact tolerances and unparalleled bullet uniformity.

Quantity Owned/Sought: 5000 Lifespan: 10 years

Equipment Capabilities: Operational range 0-300 yards

Manufacturer Product Description: SPEER LE® Gold Dot® Duty Rifle brings proven bullet technology to rifle platform. The Gold Dot® bullet was the first high-performance, bonded-core bullet available in handgun ammunition, and has since set the bar for duty ammunition. The nation's number one law enforcement option is now available in rifle ammunition for agencies everywhere. These specially designed loads bring law enforcement rifle ammunition to the next level. Gold Dot rifle bullets are optimized to ensure expansion out of barrels down to 10" at a wide variety of velocities out to 200 yards. This kind of performance greatly increases the capabilities of duty rifles and gives law enforcement personnel a distinct advantage when it matters most. In addition, these new loads boast outstanding feeding in short, very short, and standard-length AR platforms. Like their handgun counterparts, the Gold Dot rifle bullets are constructed using Gold Dot technology. The process of joining the jacket and core one molecule at a time eliminates the potential for the leading cause of bullet failure—jacket/core separation. It also ensures impressive weight retention through barriers as tough as auto-glass. In addition to being tough, Gold Dot rifle loads boast outstanding accuracy. Exact tolerances and unprecedented bullet uniformity of jacket thickness give Gold Dot rifle loads outstanding accuracy. In addition, these loads feature flash suppressed propellants and a muzzle velocity of up to 3000 fps. The versatility, reliability, and superior construction of the new Speer LE Gold Dot Duty Rifle loads allow law enforcement agencies to utilize this tested and proven bullet technology in duty rifles with complete confidence.

Purpose/Authorized Uses: To project a force against a selected target to have an effect and stop the threat when other reasonable options are not viable. A verbal warning should precede its application.

Fiscal Impacts: \$560.00 per case of 1000

Legal/Procedural Rules Governing Use: Refer to policies 300, 300.4, 300.4.1, 300.5, 300.5.1, 300.5.3, 300.11, 303, 303.3

Training Required: Sworn members utilizing Speer Gold Dot ammunition are trained in their use by CA POST certified instructors.

Compliance Mechanism: Use is subject to applicable policies 303.3, 303.3.2.

Lethal Ammunition – Practice



POLICE DEPARTMENT

Equipment Type: Winchester Target Ammunition 5.56 Caliber 55 grain rifle round.

Description: Winchester Target Ammunition features brass cases and Boxer primers and is a non-corrosive round. This ammunition is loaded with a full metal jacket bullet which is known for its positive functioning and exceptional accuracy. On impact, this bullet does not expand and is ideal for target shooting.

Quantity Owned/Sought: 7000 rounds **Lifespan:** 10 years

Equipment Capabilities: Operational range 0-300 yards

Manufacturer Product Description: Winchester "USA White Box" stands for consistent performance and outstanding value, offering high-quality ammunition to suit a wide range of shooter's needs by providing consistent accuracy, positive functioning, and no expansion.

Purpose/Authorized Uses: Practice

Fiscal Impacts: \$380.00 per case of 1000

Legal/Procedural Rules Governing Use: Refer to policies 300, 300.4, 300.4.1, 300.5, 300.5.1, 300.5.3,

300.11, 303, 303.3

Training Required: Sworn members utilizing Winchester Target Ammunition are trained in their use by CA

POST certified instructors.

Compliance Mechanism: Use is subject to applicable policies 303.3, 303.3.2.



POLICE DEPARTMENT

Less Lethal Weapon

Equipment Type: Less Lethal Shotgun with orange stock and foregrip.

Quantity Owned/Sought: 4 owned – Departmental **Lifespan:** 15

Equipment Capabilities: The Remington 870 Police Magnum with orange stock and foregrip deploys less-lethal weighted munitions. These are used to de-escalate hostile situations and reduce the chance of using deadly force.

Manufacturer Product Description: The Remington Model 870 Pump Shotgun is a reliable 12-gauge with double-action bars for smooth pump operation. A steel-lined/grooved fore-end provides a stronger grip, while the Flexitab feeding system provides positive and easier cycling. A less-lethal application shotgun is available with the addition of a blaze orange synthetic stock and foregrip for the instant recognition required.

Purpose/Authorized Uses: To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.

Fiscal Impacts: \$454 each

Legal/Procedural Rules Governing Use: Refer to policies 300, 301, 301.8-301.11

Training Required: Sworn members utilizing the Remington 870 less-lethal shotguns are trained in their use by CA POST-certified less-lethal instructors.

Compliance mechanisms: Use is subject to the applicable policies 300.5, 300.5.1, 300.5.3, 301, 303.4.



POLICE DEPARTMENT

Less Lethal Ammunition

Equipment Type: Combined Tactical System (CTS) Model 2851 Super-sock 12-Gauge Less Lethal Round

Description: A less lethal 2 ¾ inch 12-gauge shotgun shell firing a Super-Sock bean bag round.

Quantity Owned/Sought: 100 **Lifespan:** 5 years

Equipment Capabilities: 12-gauge "Super-Sock" bean bag round with an effective range between 5 and 20

yards.

Manufacturer Product Description: Super Sock projectile is in its deployment state immediately upon exiting the weapon's barrel. It does not require a minimum range to "unfold" or "stabilize". Optimal ranges are between 5 and 20 yards.

Purpose/Authorized Uses: To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.

Fiscal Impacts: Approximately \$5.24 per round

Legal/Procedural Rules Governing Use: Refer to policies 300, 301, 301.8-301.11

Training Required: Sworn members utilizing the Remington 870 less-lethal shotguns are trained in their use by CA POST-certified less-lethal instructors.

Compliance Mechanisms: Use is subject to the applicable policies 300.5, 300.5.1, 300.5.3, 301, 303.4.



POLICE DEPARTMENT

Section Two: Qualifying equipment not owned but utilized by the Capitola Police Department

709.5 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this Department shall be approved for use and in accordance with Departmental policy. Military equipment can be used by other jurisdictions that are providing mutual aid to this Department, or otherwise engaged in a law enforcement operation in this jurisdiction, shall comply with their respective military equipment use policies in rendering mutual aid as defined by Government Code § 7070; Government Code § 7071; and Government Code § 7072.



POLICE DEPARTMENT

Section Three: Qualifying Equipment to be procured by the Capitola Police Department

Equipment Type: Unmanned Aircraft Systems (UAS/Drones) – CA Gov't Code §7070(c)(1)

Quantity Owned/Sought: Seeking 3 UAS Lifespan: Approximately 5 years

Equipment Capabilities: Remotely piloted aerial vehicles capable of providing live and recorded video images captured from aerial positions, including images enhanced by Forward Looking Infrared (FLIR) and optical zoom lenses.

Manufacturer Product Description:

<u>DJI Mavic 3T</u> redefines industry standards for small commercial drones. The Mavic 3 has a wide, telephoto, and thermal lens. The wide 48 MP lens has a ½ CMOS sensor with a 24 mm equivalent focal length. The telephoto 12 MP lens has a 162 equivalent focal length with a 52x Hybrid Zoom. The thermal has a 640 x 512 resolution with a 40 mm equivalent focal length with a 61 degree of field of view. Max flight time is 45 minutes.

<u>DJI Mini 3</u> is a compact, ultra-lightweight camera drone built for adventure. It features extended battery life, detail-rich 4K HDR video, and features like Ture Vertical Shooting for social-media-optimized shots. The Mini 3's camera is equipped with a 1/1.3-inch CMOS sensor with dual native ISO and chip-level HDR technology. During the day, capture highlight and shadow details for more nuanced visual results with greater depth. Continue to capture clearly and vividly, even as day turns to night. The camera's f/1.7 aperture with larger pixels and 4x zoom. Max flight time is 30 minutes.

Purpose/Authorized Uses: UAS/Drones 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. Uses may include but are not limited to search and rescue; suspect apprehension; crime scene documentation; tactical operations; scene security; hazard monitoring, identification, and mitigation; response to emergency calls; crisis communications; legally authorized surveillance.

Fiscal Impacts: The initial costs of equipment, licensing, software, and training are expected to be approximately \$15,000 which will be funded by SLESF. The ongoing cost associated with UAS operation and maintenance is estimated to be approximately \$5,000 per year.

Legal/Procedural Rules Governing Use: Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and 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 operations.

Training Required: Before piloting any UAS/Drone staff members must secure an FAA Remote Pilot License and complete all training required by our FAA COA.

Other Notes: None.