
Military Equipment

706.1 PURPOSE AND SCOPE

The Pacific Grove Police Department does not participate in the 1033 Program and has not obtained any military equipment from the military, nor does it possess any equipment that was designed for military use. However, California Government Code § 7071(b) requires that law enforcement agencies submit a proposed Military Equipment Use Policy to their governing body for approval.

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). This policy is provided to fulfill the obligations set forth in Assembly Bill 481. These obligations include but are not limited to seeking approval on specific items deemed to be military equipment and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items.

706.1.1 DEFINITIONS

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

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

Military equipment – any of a wide variety of items as defined by California Government Code section 7070, subsections (c)(1) through (c)(16) listed below:

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
3. 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. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of a wheels for forward motion.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handled arm ram designed to be operated by one person, are specifically excluded from this subdivision.
8. Firearms and ammunition of 50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

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9. Ammunition of 50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
10. **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 weapons and ammunition of less than 50 caliber that are issued to officers, agents, or employees of a law enforcement agency or state agency.**
11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard service-issued handheld pepper spray.
13. TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
14. **The following projectile launch platforms and their associated munitions: 40 mm projectile launchers, "bean bag," rubber bullet, and specialty impact (SIM) weapons.**
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.
16. Notwithstanding paragraphs (1) through (15), "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

The bold items above are the current recognized specialized "military equipment" purchased and used by the Pacific Grove Police Department.

706.2 SECTION TITLE

California Government Code § 7070(d) describes a Military Use Equipment as a publicly released, written document that includes, at a minimum the following:

1. A description of each type of Military Equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the Military Equipment.
2. The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of Military Equipment.
3. The fiscal impact of each type of Military Equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of Military Equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the Military Equipment use policy.

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6. The mechanisms to ensure compliance with the Military Equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of Military Equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

706.3 POLICY

It is the policy of the Pacific Grove 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 the Pacific Grove Police Department that there are legally enforceable safeguards, including transparency, oversight and accountability measures in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

The acquisitions of military equipment and its deployment in our communities may impact the public's safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment. Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.

706.4 MILITARY EQUIPMENT COORDINATOR

The Chief of Police has designated the Commander to serve as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the City Council for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Pacific Grove 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.

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- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.5 APPROVAL

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

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

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment 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 aid to Pacific Grove Police Department shall comply with their respective military equipment use policies in rendering mutual aid.

The Pacific Grove Police Department is a participating member of the Monterey Peninsula Regional Special Response Unit (MPRSRU) in collaboration with the other law enforcement agencies on the Monterey Peninsula. The MPRSRU provides capabilities to address specific law enforcement issues, such as active shooter incidents, hostage situations, barricaded subject incidents, etc. The Pacific Grove Police Department also collaborates and works with the Monterey

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County Sheriff's and other local, state, and federal law enforcement agencies that may be needed to aid the Pacific Grove Police Department.

706.7 ANNUAL REPORT

The Chief of Police or the authorized designee shall submit a military equipment report to the City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072). The Chief of Police or the authorized designee shall also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use.

The report shall include the following information for the immediately preceding calendar year as required by Government Code § 7072 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. 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.
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.

706.8 COMMUNITY ENGAGEMENT

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

706.9 COMPLIANCE

The Pacific Grove Police Department is committed to responding to complaints, concerns, and questions received in a timely manner. Members of the public wishing to make a complaint, ask a question or express a concern can do so by any of the following means:

1. Via email to: militaryequipment@cityofpacificgrove.org
2. Via phone call to: 831-648-3143
3. Via mail sent to: Pacific Grove Police Department 580 Pine Ave, Pacific Grove, CA 93950
4. Via in person by responding to the above address

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5. Via completing a complaint form located on the website by clicking [here](#) or visiting https://www.cityofpacificgrove.org/our_city/departments/police/submit_employee_complaint_or_commendation.php.

706.10 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying "military equipment" for the Department. [Military Equipment List](#)

Attachments

Military equipment list final 2-28-2022.pdf

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Less Lethal Weapon	
Type	40mm Launcher
Description	Penn Arms GL1 40mm launcher
Quantity	2
Capabilities	The Penn Arms GL 40mm launcher will launch a 40mm less lethal projectile approximately 130 feet
Expected lifespan	15 years
Manufacturer's description	A 40mm compact single-shot break-open frame launcher with a rifled barrel and folding stock. Features include: Double-action trigger, trigger lock push button and hammer lock safeties
Purpose and authorized uses	To compel an individual to cease his/her actions when such less lethal weapon presents a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal impact	\$1500 (each)
Legal and procedural rules	Refer to policies 300, 301, 301.8-301.11
Required training	Sworn members utilizing the 40mm less lethal impact rounds 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).

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Less Lethal Weapon	
Type	Less Lethal Shotgun
Description	Remington 870 Less Lethal Shotgun with Orange Stock and Fore-end denoting less lethal
Quantity	5
Capabilities	The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Drag Stabilized Round up to a distance of 75 feet
Expected lifespan	25 years
Manufacturer's 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 SpeedFeed stock and fore-end for the instant recognition required.
Purpose and 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 impact	\$950 each
Legal and procedural rules	Refer to policies 300, 301, 301.8-301.11
Required training	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).

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Less Lethal Ammunition	
Type	Defense Technology Exact Impact 40mm kinetic energy projectiles
Description	40mm, foam-tipped kinetic energy fired from an agency-authorized 40mm launcher.
Quantity	36
Capabilities	Operational range 5-131 ft.
Expected lifespan	5 yrs.
Manufacturer's description	The eXact iMpack™ 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for Crowd Control, Patrol, and Tactical Applications.
Purpose and 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 impact	Approximately \$20 per projectile
Legal and procedural rules	Refer to policies 300, 301, 301.8-301.11
Required training	Sworn members utilizing the 40mm less lethal impact rounds 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).

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Less Lethal Ammunition	
Type	Defense Technology/Safariland Drag Stabilized 12-Gauge Less Lethal Round
Description	A less lethal 2.5-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270 feet per second (FPS).
Quantity	145
Capabilities	12-gauge Drag Stabilized Round has an effective range from 20 feet up to a distance of 75 feet
Expected lifespan	5 years
Manufacturer's description	The 12-Gauge Drag Stabilized™ Round is comprised of a translucent 12-Gauge shell loaded with a 40 gram, tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four (4) stabilizing tails. The 12-Gauge Drag Stabilized™ Round utilizes smokeless powder as the propellant.
Purpose and 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 impact	Approximately \$5 per round
Legal and procedural rules	Refer to policies 300, 301, 301.8-301.11
Required training	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).

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Lethal Weapon	
Type	Semi-Auto Patrol Rifle
Description	Daniel Defense DDM4V7, Semi-Auto rifle, black in color, with aluminum handguard, and adjustable stock.
Quantity	9
Capabilities	A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.
Expected lifespan	10 years
Manufacturer's description	The DDM4 V7 AR15 style firearm features M-LOK attachment technology with the Daniel Defense MFR 15.0 rail. Built around a Cold Hammer Forged, 16-inch barrel, the V7 has a DD improved Flash Suppressor to reduce flash signature. The mid-length gas system provides smooth and reliable cycling under any condition and reduces both perceived recoil and wear on moving parts. With the M-LOK attachment points that run along 7 positions and an uninterrupted 1913 Picatinny rail on top, the V7 has plenty of room for the sights, optics, and accessories the user may require. The independently ambi GRIP-N-RIP Charging Handle accommodates left- and right-handed shooters. This rifle also comes with the ergonomic Daniel Defense Buttstock and Pistol Grip.
Purpose and authorized uses	The Daniel Defense DDM4V7 enables officers when in compliance with the PGPD'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 impact	\$1,310.00 (each)
Legal and procedural rules	Refer to policies 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303
Required training	Sworn members utilizing the Daniel Defense DDM4V7 are trained in their use by CA POST certified firearms instructors.
Compliance mechanisms	Use is subject to the applicable policies (300.4, 300.9, 303.3.2, 303.5, 303.7, 303.8, 303.9)

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Lethal Weapon	
Type	Semi-Auto Patrol Rifle
Description	Colt LE6920, Semi-Auto rifle, black in color, with plastic handguard, and adjustable stock.
Quantity	13
Capabilities	A rifle that fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol.
Expected lifespan	10 years
Manufacturer's description	The Colt M4 Carbine is a Gas Operated Semi-Auto rifle, chambered in 223 Remington/5.56 NATO. The M4 Carbine features a 16.1" barrel and Reversible safety selector and has an overall expanded length of 35.5". The M4 Carbine utilizes a 4-position collapsible stock and A2 flash hider.
Purpose and authorized uses	The Colt M4 Carbine enables officers when in compliance with the PGPD'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 impact	\$1,100 (each)
Legal and procedural rules	Refer to policies 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.2, 300.5.3, 300.11, 303
Required training	Sworn members utilizing the Colt M4 Carbine are trained in their use by CA POST certified firearms instructors.
Compliance mechanisms	Use is subject to the applicable policies (300.4, 300.9, 303.3.2, 303.5, 303.7, 303.8, 303.9)

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Lethal Ammunition	
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	1,500
Capabilities	Operational range 0-300 yards
Expected lifespan	10 years
Manufacturer's 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 and 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 impact	\$560.00 per case of 1000
Legal and procedural rules	Refer to policies 300, 300.4, 300.4.1, 300.5, 300.5.1, 300.5.3, 300.11, 303, 303.3
Required training	Sworn members utilizing Speer Gold Dot ammunition are trained in their use by CA POST certified instructors.
Compliance mechanisms	Use is subject to applicable policies (303.3, 303.3.2)

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Lethal Ammunition	
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	14,000
Capabilities	0-300 yards
Expected lifespan	10 years
Manufacturer's 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 and authorized uses	Practice
Fiscal impact	\$380.00 per case of 1000
Legal and procedural rules	Refer to policies 300, 300.4, 300.4.1, 300.4.2, 300.5.1, 300.5.3, 300.11 303
Required training	Sworn members utilizing Winchester Target Ammunition are trained in their use by CA POST certified instructors.
Compliance mechanisms	Use is subject to applicable policies (303.3, 303.3.2)