

ORDINANCE NO. ()

AN UNCODIFIED ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO AB 481

The Board of Supervisors of the County of Sonoma, State of California, ordains as

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (creating Government Code Section 7070, et seq.), relating to the use of military equipment by California law enforcement agencies;

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;

WHEREAS, the Sonoma County Sheriff's Office is in possession of certain items of equipment that qualify as "military equipment" under AB 481;

WHEREAS, AB 481 requires that a law enforcement agency possessing and using such qualifying equipment prepare a publicly released, written, military equipment use policy document covering the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Sheriff's Office use of such equipment;

WHEREAS, the Policy and supporting information must be approved by the governing body by ordinance, and reviewed annually; and,

WHEREAS, the Sonoma County Board of Supervisors, having received the information required under AB 481 regarding the Sonoma County Sheriff's Office use of military equipment as defined in said law, deems it to be in the best interest of the County to approve the Military Equipment Use Policy as set forth herein.

Section I. The attached policy, titled "Military Equipment", shall be added to the Sheriff's Office Policies and designated as Policy 707 of the Sonoma County Sheriff's Office Policies.

(a) The Board of Supervisors has made the following determinations:

(1) The military equipment inventoried and presented to the Board of Supervisors is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;

(2) The proposed Military Equipment Use Policy ("Policy") will safeguard the public's welfare, safety, civil rights, and civil liberties;

(3) The equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety (if any);

(4) Prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(b) The Sheriff's Office has submitted a proposed Policy to the Board of Supervisors and has made those documents available on the Sheriff's Office website for at least 30 days prior to the public hearing concerning the military equipment at issue.

(c) The Policy was considered by the Board of Supervisors as an agenda item in an open session of a regular meeting, noticed in accordance with the Ralph M. Brown Act, at which public comment was permitted.

(d) The Policy shall be made publicly available on the Sheriff's Office website for as long as the military equipment is available for use.

(e) The Sheriff's Office shall submit an annual military equipment report to the Board of Supervisors, containing the information required in Government Code Section 7072, and the Board of Supervisors shall determine whether each type of military equipment identified in that report has complied with the standards for approval set forth in (a)(1)-(4) above.

(f) The Board of Supervisors shall review this ordinance, and vote on whether to renew it, on an annual basis at a regular meeting, in accordance with Government Code Section 7071(e)(2)

(g) The Board of Supervisors approves the use of the Policy, and finds that it satisfies the requirements of Government Code Section 7070(d)."

Section II. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section III. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 10th day of May, 2021, and finally passed and adopted this 24th day of May, 2022, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Rabbitt: Coursey: Hopkins: Gore:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Sheryl Bratton,
Clerk of the Board of Supervisors

Military Equipment

707.1 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).

707.1.1 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.

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707.2 POLICY

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

707.3 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 Sonoma 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.

707.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Office

[See attachment: Policy 707 Military Equipment Inventory Attachment.pdf](#)

707.5 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

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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 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.

707.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy or the law enforcement agencies governing body has approved the equipment use in their territorial jurisdiction following the procedures of Government Code § 7070.

707.7 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.

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

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For any complaints or concerns with this Policy or Equipment listed in the attached inventory documents, please refer to the Sonoma County Sheriff's website for our complaint procedure process:

<https://www.sonomasheriff.org/citizens-concerns>

Attachments

Policy 707 Military Equipment Inventory Attachment.pdf

Sonoma County Sheriff's Office Military Equipment Inventory Attachment

1. Robots (Category 1)

a. Description, quantity, capabilities, and purchase cost:

AVITAR III by Robotex - Cost \$25,000, quantity- one. The AVITAR III is a heavy-duty robot. It is controlled by remote operation with a camera attachment. It is able to climb stairs with the ability to broadcast from the controller to the robot as well to monitor audio and video input that the robot is exposed to. The AVITAR III has a run time of approximately two hours, depending on terrain that the tracked robot has to travel to get the location of monitoring. SWAT/Special Operations.

b. Purpose:

To be used to remotely gain visual/audio data, deliver the Hostage Negotiator Team's (HNT) phone, gain access to rooms with partially closed doors, climb stairs to see areas of concealment where it is unsafe for a person to access, and to clear buildings from the available visual fields of the camera.

c. Authorized use:

Only assigned deputies who have completed the required training shall be permitted to operate the AVITAR III. This robot is assigned to the Special Operations Unit.

d. Expected lifespan:

The unit itself has a lifespan of 10-15 years with regular battery replacement.

e. Fiscal Impact:

Annual battery replacement as needed, \$395.

f. Training:

All robot operators must complete training on operating the AVITAR III. Operators must demonstrate the ability to operate it safely and effectively. Operators are designated by the Special Operations Commander to operate the robot in critical incident situations.

g. Legal and procedural rules:

It is the policy of this agency to utilize this robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

2. Robots (Category 1)

a. Description, quantity, capabilities, and purchase cost:

F6 by REMOTEC - Cost is approximately \$319,000. Quantity- one. The Remotec is a medium sized robot. The robot is capable of being deployed remotely and offers various capabilities; stair climbing ability, arm manipulation and deployment of remote tools. This robot offers two-way communication and can utilize the arm for door and object manipulation as needed. EOD/Bomb squad

b. Purpose:

To remotely assess and render safe suspicious devices to keep Bomb Squad staff safe and allow them to remotely deal with dangerous devices.

c. Authorized use:

Explosive Ordinance Disposal Team use to render dangerous items as safe. This robot may be used by EOD staff to assist the Special Operations Unit as needed in critical situations.

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- d. **Expected lifespan:**
This robot is currently over 20 years old and with mild maintenance has been working very well. Due to the specific functions of this unit, it will be utilized until a dangerous device renders the robot inoperable.
 - e. **Fiscal Impact:**
No known annual maintenance costs. EOD personnel perform routine preventative maintenance on this robot as needed.
 - f. **Training:**
Each operator must complete the internal 20-hour training as well as have completed the bomb tech-training course which is provided every three years.
 - g. **Legal and procedural rules:**
Comply with the laws and procedures as identified by the FBI Hazardous Devices School and the Nationwide NBSCAB National Bomb Squad Commanders Advisory Board – General Operational Orders.
3. **Robots (Category 1)**
- a. **Description, quantity, capabilities and purchase cost:**
Talon by QNetic - Cost is unknown (acquired through grant funding). Quantity- one. The Talon is a medium sized robot. The robot is capable of being deployed remotely and offers various capabilities; stair climbing ability, arm manipulation and deployment of remote tools. This robot offers two-way communication and can utilize the arm for door and object manipulation as needed. EOD/Bomb squad
 - b. **Purpose:**
To remotely assess and render safe suspicious devices to keep Bomb Squad staff safe and allow them to remotely deal with dangerous devices.
 - c. **Authorized use:**
Explosive Ordinance Disposal Team use to render dangerous items as safe. This robot may be used by EOD staff to assist the Special Operations Unit as needed in critical situations.
 - d. **Expected lifespan:**
10-15 years.
 - e. **Fiscal Impact:**
No known annual maintenance costs. EOD personnel perform routine preventative maintenance on this robot as needed.
 - f. **Training:**
Each operator must complete the internal 20-hour training as well as have completed the bomb tech-training course which is provided every three years.
 - g. **Legal and procedural rules:**
Comply with the laws and procedures as identified by the FBI Hazardous Devices School and the Nationwide NBSCAB National Bomb Squad Commanders Advisory Board – General Operational Orders.
4. **Unmanned Aerial Vehicles (Category 1)**
- a. **Description, quantity, capabilities, and purchase cost:**
Unmanned Aircraft Systems (UAS): Unmanned aircraft along with accessories and

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associated equipment to control it remotely. Patrol and Special Operations

Models in use:

- i. **DJI MAVIC MINI** - Cost \$600 each, quantity 3. Multipurpose UAS with enhanced quality in photographs and video. \$50 annual maintenance expense.
- ii. **DJI MAVIC ENTERPRISE DUAL** - Cost \$5000, quantity 2 (donation funded). Multipurpose UAS with a secondary camera for infrared light. Capable of attaching an audible loudspeaker and/or spotlight. \$300 annual maintenance expense.
- iii. **PARROTT ANAFI THERMO** - Cost \$1300, quantity 1. Multipurpose UAS with a stabilized image that utilizes a thermal camera to detect heat and infrared images. \$100 annual maintenance expense.
- iv. **PARROTT ANAFI** - Cost \$800 (this UAS was donated), quantity 1. Multipurpose UAS with a 32x zoom camera for clear viewing at distance, enhanced quality photographs and video. \$100 annual maintenance expense.
- v. **DJI PHANTOM 4** - Cost \$500 each, quantity 2. Multipurpose UAS with enhanced quality for photographs and video. \$100 annual maintenance expense.
- vi. **DJI MAVIC 2- ZOOM** - Cost \$1200, quantity 1. Multipurpose UAS with a secondary camera for 2x optical zoom. Capable of attaching an audible loudspeaker and/or spotlight. \$200 annual maintenance expense.
- vii. **DJI MAVIC AIR** - Cost \$900, quantity 1 (donation funded). Multipurpose UAS with quality photograph resolution and video. \$100 annual maintenance expense.

b. Purpose:

To be deployed when its view would assist deputies or incident commanders with the following situations, which include but are not limited to:

- i. Searching for missing persons.
- ii. Natural disaster management.
- iii. Crime scene photography.
- iv. SWAT, tactical, or other public safety and life preservation missions.
- v. In response to specific requests from local, state, or federal fire authorities for other incidents, but not limited to, fire response and/or prevention.

c. Authorized use:

Authorized uses of the UAS include, but are not limited to:

- i. Response to a public safety emergency.
- ii. Search and rescue.
- iii. Investigating suspicious or explosive devices.
- iv. Natural disaster response and management.
- v. Crime scene documentation.
- vi. Recovery of a decedent.
- vii. Qualifying law enforcement mutual aid.

d. Expected lifespan:

3-5 years.

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e. Fiscal Impact:

Dependent upon the model. See above for annual maintenance expense for each listed model/brand.

f. Training:

All Sheriff's Office UAS pilots must obtain a FAA Part 107 (remote pilot) license before being allowed to operate a UAS. Each pilot has been trained by the Los Angeles Regional Training Center UAS Pilots/Operator Course offered in Sonoma County to provide training to regional pilots. Each UAS pilot receives ongoing monthly training with the Sheriff's Office UAS Unit.

g. Legal and procedural rules:

Use is established under the Sonoma County Sheriff's Office Policy 606 Unmanned Aerial System Operations and FAA Regulation 14 CFR Part 107. It is the policy of the Sheriff's Office to utilize the UAS for official law enforcements purposes only, and in a manner that respects the privacy of our community, pursuant to State and Federal laws.

5. Armored Personnel Carrier, vehicle with entry apparatus attached (Category 2 & 3)

a. Description, quantity, capabilities, and purchase cost:

LENCO BEARCAT - Cost \$306,000, quantity 1. The Lenco Bearcat is an armored/protective vehicle that seats 10-12 personnel with an open floor plan which allows for the rescue of injured persons. In addition to the rescue abilities of the Bearcat, the vehicle provides a reasonably safe vehicle that is capable of transporting and positioning a SWAT react team to a location close to a dangerous situation, providing them with the conditions to seek a non-lethal conclusion. The Bearcat is a regional asset (obtained through grant funding) that the Sheriff's Office maintains and operates for the Sonoma County Sheriff's Office SWAT Team as well as for the Santa Rosa Police Department SWAT team. When requested by an allied agency in the region, two SCSO SWAT deputies are assigned to drive and control the vehicle. SWAT/Special Operations Unit

b. Purpose:

To be used in response to critical incidents to enhance deputy and community safety, improve scene containment, stabilize a scene, and assist in resolving critical incidents throughout the region.

c. Authorized use:

The use of the Bearcat can only be authorized by the Special Operations Commander and may only be driven by qualified SWAT team deputies, pursuant to Sheriff's Office Policy 404- Special Operations Unit and 705- Armored Rescue Vehicle. Any request for mutual aid, is directed to the Special Operations Commander and follows the same authorization procedure as the activation of the SWAT team. The Bearcat is an integral safety tool for the SWAT team and is utilized for each SWAT team deployment.

d. Expected lifespan:

25 years.

e. Fiscal Impact:

Approximately \$1000 annually for maintenance. As fuel costs fluctuate, this vehicle is a diesel engine, and the cost for fuel will vary depending on use and miles driven.

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- f. **Training:**
Each operator of the Bearcat must complete the Department Emergency Vehicle Operations Course designated for the Bearcat. The driver of the vehicle must be a member of the Sheriff's SWAT Team and in good standing with the mandatory 20 hours of monthly SWAT training.
 - g. **Legal and procedural rules:**
All requests for use are reviewed by the Special Operations Commander. The use of the Bearcat must follow Policies 404- Special Operations Unit, and 705- Armored Rescue Vehicle.
- 6. Command and Control Vehicles (Category 5)**
- a. **Description, quantity, capabilities, and purchase cost:**
2021 Freightliner MT-55 chassis 26 foot LDV Specialty Vehicle, Mobile Command Center (MCC) Cost \$505,614, quantity 1. This vehicle is deployable to any critical incident, natural disaster, community event, and any other situation where having an on-scene command and control location is necessary. This vehicle provides the Sheriff's Office the ability to have a stand-alone operationally ready incident command, dispatch, communications, tactical command, hostage negotiation platform, and natural disaster response vehicle throughout Sonoma County. The vehicle is equipped with our dispatch CAD system for seamless integration in operational incidents, multi-system wireless technology for areas of the County that are not currently serviced by all providers, radio repeater technology to act as a bridge for portable radios, and direct connection with the Sheriff's Satellite truck in the event of a significant incident or natural disaster that affects radio or phone communication throughout the County of Sonoma. Sheriff's Office Command.
 - b. **Purpose:**
To respond to critical incidents and large scale disasters that require a remote command and control operations center.
 - c. **Authorized use:**
The MCC use can be authorized by the Sheriff's Office Watch Commander or Special Operations Commander as needed to assist with Sheriff's Office operations and to provide the Sheriff's Office with a command center for large-scale disaster incidents where an Incident Management has been established. The MCC can be deployed by the Sheriff's Office in mutual aid situations where a command and control is needed from the Sheriff's Office.
 - d. **Expected lifespan:**
20 years with annual technology updates.
 - e. **Fiscal impact:**
Approximately \$1000 annual maintenance. Fuel costs are variable and dependent up on miles driven and the use of the on-board diesel generator. Technology updates and upgrades will be variable depending on the needs and requirements of installed communications equipment.
 - f. **Training:**
The MCC is maintained and managed by the technical service team, comprised of deputy sheriff's, radio communication staff, and Sheriff's IT Unit personnel. This Unit

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meets monthly for maintenance and deployment training, as well as participation in the quarterly Special Operations Unit training scenario.

g. Legal and procedural rules:

It is the policy of the Sheriff's Office to only use the MCC for official law enforcement purposes as outlined in Sheriff's Office Policy 706- Mobile Command Center, and in accordance with California State law for operation of a motor vehicle.

7. Command and Control Vehicles (Category 5)

a. Description, quantity, capabilities, and purchase cost:

Custom built 2007 Ford F450 with attached Communications Shelter (Sat Truck) Cost \$87,173, quantity 1. The Sat Truck is a mobile radio and satellite communication response vehicle. The truck is equipped with radios, cellular service, satellite phone and radio communications that can connect Sheriff's Office radios with all known radio configurations in northern California. The Sat Truck can operate as a stand-alone command and control vehicle in rural hard to reach areas utilizing the vehicles four wheel drive system, or can be deployed with the MCC to act as a bridge for communication when standard radio and cellular internet services are not available. The Sat Truck can create a wireless network for a designated zone and provide access for emergency services during a critical incident. The Sat Truck has the ability to connect with every Emergency Operations Center (EOC) for natural disaster response throughout the State. Sheriff's Office Command.

b. Purpose:

Readily deployable mobile command and communications center in the event of a natural disaster or critical incident that has damaged standard methods of communication. This vehicle provides the Sonoma County Sheriff's Office with the ability to continue emergency operations and communications in the worst situations.

c. Authorized use:

The Sat Truck can be deployed to meet the operational needs of the Sonoma County Sheriff's Office and for mutual aid requests where the Sheriff's Office needs to have a remote command and control center. The activation of the Sat Truck can be authorized by the Watch Commander or Special Operations Unit Commander.

d. Expected lifespan:

The current vehicle was purchased in 2007 and is operationally ready. The technology updates contained within the structure have been maintained and will continue to be updated as technology and operational needs change.

e. Fiscal impact:

\$300 annual maintenance. Technology costs are dependent and variable upon changes in services and operational needs. Fuel consumption is an additional expense, however, this is based on the needed use and deployment of the vehicle.

f. Training:

The Technical Service Team maintains the technology and the operational readiness of this vehicle. That team consists of deputy Sheriff's, radio communications technicians, and a representative of the Sheriff's IT Unit. The team meets monthly and participates in the quarterly Special Operations Unit scenario training.

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g. Legal and procedural rules:

It is the policy of the Sheriff's Office to only use the Sat Truck for official law enforcement purposes and in accordance with California State law for operation of a motor vehicle.

8. Battering rams, slugs, and breaching apparatuses (Category 7)

a. Description, quantity, capabilities, and purchase cost:

LIGHTFIELD 12 GAUGE BREACHING ROUND - Cost \$4.90 each, quantity 25. This breaching round is a non-metallic round that provides a means of entry that is non-lethal. The round is designed to be deployed with a designate 12 gauge shotgun that has been specially fitted with a "stand-off" muzzle so it can be directly applied to the door. When this round is deployed, the powder contents break apart on contact with the door so it does not exit from the door as a lethal round. This breaching method provides a safe technique for the deputy who is exposed in front of a door and for any persons on the inside of the door. SWAT/Special Operations Unit.

b. Purpose:

Quick and safe entry through a fortified door when appropriate based on Sheriff's policy and State law.

c. Authorized use:

This breaching round can only be used by a SWAT team member in accordance with Sheriff's Office Policies 300- Use of Force, 404- Special Operations Unit, 707- Military Equipment, existing State and Federal Law.

d. Expected lifespan:

5 years, no listed expiration.

e. Fiscal impact:

No annual maintenance fees, replacement of inventory as used.

f. Training:

Each SWAT team member that has completed the 80 hour POST Certified Basic SWAT academy must also attend a 16 hour POST Certified Breacher Course. The SWAT member must be in good standing with the twice monthly SWAT training schedule as well.

g. Legal and procedural rules:

Shotgun breaching rounds will only be used in the execution of an authorized Search Warrant and/or emergency entry to protect lives and prevent death inside a fortified structure.

9. Noise-flash diversionary devices (Category 11)

a. Description, quantity, capabilities, and purchase cost:

A noise flash diversion device (NFDD) is a device that creates a bright flash and loud sound simultaneously to temporarily divert the attention of subjects in the immediate area off the movement and action of law enforcement. An NFDD is used to distract and temporarily incapacitate dangerous suspects by overwhelming their senses of vision and hearing. This allows law enforcement time to take control of high-risk situations.

- i. Combined Tactical Systems 7290M** - Cost \$40 each, quantity 88. The 7290m produces 180dB audible output simultaneous to 6-8 million candela of light output. The structure of the hand placed unit remains intact and is a single use.

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Engineered with ports, the body of the unit remains where it is placed with the sound and flash. SWAT/Special Operations Unit and Corrections.

- ii. **Combined Tactical Systems 7290-9** - Cost \$129 each, quantity 5. The 7290-9 produces 165-180dB audible output simultaneous to 6-8 million candela of light output. The structure of the hand placed unit remains intact and is a single use. Engineered with ports, the body of the unit remains where it was placed during the sound and flash. SWAT/Special Operations Unit.
- iii. **Defense Technology 40mm Warning/Signaling munition** - Cost \$41.40 each, quantity 10. The model 6028 WS is a noise and flash diversion device that produces a 170dB of sound and a 5 million candela light output. This NFDD is launched through a 40mm launcher and is intended for situations where a stand-off distance is desired and hand deployment is not safe. The cartridge itself will deflagrate (burn away) at a set distance of 50 meters in the air. Tactical Team.
- iv. **Lightfield Nova DR** - Cost \$4.60 each, quantity 470. This NFDD is fired through a designated 12 gauge shotgun platform. The NFDD produces a 110 dB sound and the flash is intense, but this is dependent upon where the muzzle of the barrel is. The level of brightness, is described as an "intense muzzle flash", without a stated candela brightness. This form of delivery is the preferred method in the custodial setting as the Deputy has complete control of the safety factors with the use. Corrections.

b. **Purpose:**

- i. **CTS 7290M and the CTS 7290-9** are both meant to be hand deployed/placed at the location of distraction. The function of them is to produce an atmospheric over-pressure and brilliant white light resulting in a short-term physiological/psychological sensory deprivation to give the Deputies a tactical advantage.
- ii. **Lightfield Nova DR** is meant to be deployed with a dedicated 12 gauge shotgun with a focused direction of fire in a safe manner away from any persons. The function of them is to produce an atmospheric over-pressure and brilliant white light resulting in a short-term physiological/psychological sensory deprivation to give the Deputies a tactical advantage.
- iii. **40mm warning/signaling munition** is meant to be deployed through a 40mm launcher and is only to be used in an outdoor setting where the person deploying the munition has a clear view of the area and it can safely be deployed. This round is not a direct contact round and also produces an atmospheric (aerial) over-pressure and brilliant white light, with the intended purpose of gaining attention of a crowd through a short-term physiological and psychological sensory deprivation. The munition itself will deflagrate at a set distance of meters in the air.

c. **Authorized use:**

Diversionary Devices shall only be used:

- i. By SWAT, Tactical Team, or SERT deputies who have been trained in their proper and legal use.

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- ii. In hostage and barricaded subject situations for SWAT and SERT.
- iii. In high-risk warrant (search/arrest) services, where there may be extreme hazards to deputies.
- iv. During other high-risk situations where the use would enhance officer and public safety, specifically in crowd control situations by the Tactical Team following SCSO Policy 432- First Amendment Assemblies.
- v. During training exercises.

d. Expected lifespan:

All of the NFDD in Sheriff's Office inventory expire five years after manufacture.

e. Fiscal Impact:

This is dependent upon use. Every 5 years, the inventory is replaced, although the specialty units that have access to these types of rounds have an annual inventory update.

f. Training:

All deputies that deploy or utilize one of the NFDD's have to be trained and qualified in the safe deployment of each type of system. The NFDD's must be stored and are an ATF controlled Class C Explosive Device and each deputy must be trained in the storage and maintenance process for a Class C explosive device. Anyone utilizing a 40mm launching platform, must have attended a POST approved Less Lethal Course or similar course that meets the POST standard of training specific to the 40mm system.

g. Legal and procedural rules:

It is the policy of the Sheriff's Office to utilize these devices only for official law enforcement purposes, pursuant to State and Federal law regarding the use of force. Specifically, the Sheriff's Office Policy 300- Use of force, 404- Special Operations Unit, 432-First Amendment Assemblies, as well as the California Penal Code 13652 and 13652.1.

10. OC/CS Chemical Agent (Category 12)

a. Description, quantity, capabilities, and purchase cost:

Chemical agent munitions, which are commonly referred to as "gas" or "tear gas", are used by the Sonoma County Sheriff's Office as a non-lethal tool to provide a safe resolution with a barricaded dangerous suspect and under strict legal guidance in reference to non-peaceful assemblies. The chemical agents used by the Sonoma County Sheriff's Office are common among law enforcement agencies across the Country. The Sheriff's Office currently has inventory of two types of chemical irritants- CS (2-Chlorobenzylidenemalononitrile) and OC (Oleoresin Capsicum). CS is an irritating agent and lachrymator (irritates the eyes and causes tears to flow), OC is an inflammatory agent which causes involuntary closure of eyes (open in 2-5 minutes) and respiratory inflammation (subsides in approximately 2 minutes). There are several delivery systems that can be used to disperse the agent, the following inventory is broken down by delivery system:

i. Hand Deployed/Placed -

- 1. Defense Technologies Pocket Tactical CS - Cost \$33.25 each, quantity 7. Each contains 0.9 oz. of agent that releases over 20-40 seconds. This**

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type of system is most commonly used indoors. SWAT/Special Operations.

2. **ALS 6273 OC Expulsion Delivery** - Cost \$24.65, quantity 1. It contains 10 grams of OC and has an immediate delivery time. Most commonly used indoors. SWAT/Special Operations Unit.
 3. **ALS 2773 CS Expulsion Delivery** - Cost \$42.78 each, quantity 10. Each one contains 24 grams of CS and has an immediate delivery. Most commonly used indoors. SWAT/Special Operations Unit.
 4. **CTS 6230 CS Canister** - Cost \$22.63 each, quantity 12. Each canister contains 410 grams of CS that releases over 20-40 seconds. Most commonly used in outdoor settings. SWAT/Special Operations Unit.
 5. **CTS 5230B CS Baffled Canister** - Cost \$31.58 each, quantity 25. Each contains 395 grams of CS that releases over 20-40 seconds. Most commonly used indoors with the baffled reduction in flame and fire hazard. SWAT/Special Operations Unit.
 6. **Defense Technology Model 1026 CS** - Cost 49.44 each, quantity 25. Each contains 3.2 oz. of CS agent that releases in 20-30 seconds. Most commonly used in large indoor settings and outdoors and has separating canisters to increase the dispersal coverage in a shorter period of time. Tactical Team and Corrections.
 7. **Defense Technology Model 1082 CS** - Cost \$27.65 each, quantity 12. Each contains 2.7 oz. of CS agent that releases in 20-40 seconds. This is made for outdoor use due to the amount of smoke that is produced with the agent. Tactical Team.
 8. **Defense Technology OC Aerosol Fogger 6 oz. and 1 oz.** - Cost \$24.87, quantity 12. There are two sizes, one is 6 oz. and the other is 1 oz. This is an atomized mist, which enhances the formulation. The canister is hand deployed, or may be held and maintained in the hand during the spray. Corrections.
- ii. **40mm Launcher Deployed -**
1. **Defense Technology Direct Impact OC (orange tip)** - Cost \$21.57 each, quantity 217. This is a point of aim, point of impact direct fire round that has an irritant amount of OC powder that releases with contact. As this is a dual purpose foam tip round, it is a low-lethal round and is used for subjects that are violent and dangerous as an option of non-lethal force. Patrol and Corrections.
 2. **Defense Technology Powder Barricade Round OC** - Cost \$22.50 each, quantity 27. Each round is a frangible projectile that is designed to penetrate barriers. Upon impact the nose of the round ruptures and instantaneously delivers the agent inside a structure or vehicle. This can be used on structures and vehicle, but not directly aimed at persons. SWAT/Special Operations Unit.
 3. **CTS 4330 Barricade, spin stabilized CS Round** - Cost \$19.47, quantity 24. This is a liquid filled projectile that penetrates intermediary barriers and

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delivers CS irritant agents. Commonly used on vehicle and structure barricades, but not intended to be used as a direct impact tool with a person. SWAT/Special Operations Unit.

4. **Defense Technology Liquid Barricade Round CS** - Cost \$21.75 each, quantity 23. This round is a frangible projectile filled with liquid CS that is designed to penetrate barriers. This projectile has 6.9 grams of liquid agent and is intended to dislodge a barricaded suspect from a small space. It can be used on windows and structures, but is not intended to be used as a direct impact tool with a person. SWAT/Special Operations Unit and Corrections.
5. **CTS CS Smoke Projectile** - Cost \$15.53 each, quantity 18. It has a cartridge that launches as a single projectile round emitting smoke and irritant agent CS. This method is best used outdoors or in a large indoor setting. The agent discharges over a 20-40 second time period. SWAT/Special Operations Unit.
6. **Defense Technology Muzzle Blast OC Round** - Cost \$25.75 each, quantity 7. The effective use of this round is indoors and close contact outdoors. This is considered an excellent device for deploying a chemical-laden OC powder into an area to force a barricaded suspect out of a space. Corrections.
7. **Defense Technology Muzzle Blast CS Round** - Cost \$25.75 each, quantity 6. The effective use of this round is indoors and close contact outdoor setting. It is considered a very effective round in deploying a chemical-laden CS powder both indoors to drive barricaded suspects out of spaces and outdoors when excluding a crowd from going into an area of danger. Corrections.
8. **CTS 5430 flameless expulsion CS** - Cost 33.42, quantity 8. This is a flameless expulsion canister that can be hand delivered or deployed through the use of the launcher. Each canister contains 335 grams of agent and has an instantaneous discharge of the CS agent. It is safe for interior and outdoor use. SWAT/Special Operations Unit.
9. **CTS 4530 Impact Round CS** - Cost \$22.58, quantity 20. This is a multi-effective munition as both a direct contact and CS powder dispersal after contact with the blue tip sponge round (low-lethal). This is a safe round both indoors and outside. SWAT/Special Operations Unit.

iii. Compressed air deployed (FN 303) -

1. **FN303 Less Lethal Pava/OC Powder Projectiles** - Cost \$3.53 each, quantity 244. This projectile is intended as an irritant for individual suspects, point-specific target or small-area denial. Each round contains a powder form of OC agent. The primary effect of the projectile is trauma, which directly neutralizes the aggressor, the secondary effect is from the OC agent. Corrections.

b. Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or

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undesirable. When a subject is a dangerous, or armed person, barricaded, and a public safety risk to others, the deployment of chemical agents to move the person to a location outside a barrier for safe apprehension. When an assembly has turned violent towards itself or members of the community, 13652(b) PC, makes clear that this is the only occasion when chemical agents can be utilized by the Tactical Team for crowd control.

c. Authorized use:

Only deputies who have received a POST Certified course in the deployment and use of chemical agents or similar training may utilize these tools at the direct approval of the Tactical Commander, Special Operations Commander, or SERT Commander.

d. Expected lifespan:

Each of the described items above have a 5-year life expectancy.

e. Fiscal Impact:

There are no annual maintenance fees. Items are replaced through expiration and usage.

f. Training:

All deputies employing the use any of the above listed items must have completed the POST Certified Less Lethal Course or similar course that meets the POST standard of training.

g. Legal and procedural rules:

It is the policy of the Sheriff's Office to utilize these devices only for official law enforcement purposes, pursuant to State and Federal law regarding the use of force. Specifically, the Sheriff's Office Policy 300- Use of force, 404- Special Operations Unit, 432-First Amendment Assemblies, as well as the California Penal Code 13652 and 13652.1.

11. Projectile Launch Platforms and Associated Munitions (Category 14)

a. Description, quantity, capabilities, and purchase cost:

i. Launch Platforms-

- 1. Penn Arms Model PGL-65-40, 40mm Launcher** - Cost \$3,240, quantity 2. This 40mm launcher is a six round revolving cylinder launcher. Each 40mm launcher is capable of being used for a low-lethal soft foam projectile and chemical agent projectiles. SWAT/Special Operations Unit and Corrections.
- 2. ALS TAC-40 launcher** - Cost \$735, quantity 7. This is a single shot break-open frame launcher with shoulder stock. This launcher is used to launch low-lethal soft foam projectiles and chemical agent projectiles. SWAT/ Special Operations Unit, Tactical Team, and Patrol.
- 3. Defense Technologies 40mm Launcher** - Cost \$800 each, quantity 21. This is a single shot break-open frame launcher with shoulder stock. This launcher is used to launch low-lethal soft foam projectiles and chemical agent projectiles. Patrol.
- 4. Penn Arms Model GLI-40 Launcher** - Cost \$800, quantity 2. . This is a single shot break-open frame launcher with shoulder stock. This

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launcher is used to launch low-lethal soft foam projectiles and chemical agent projectiles. Patrol.

5. **LMT FW18914 Launcher** - Cost \$800, quantity 1. This is a single shot break-open frame launcher with shoulder stock. This launcher is used to launch low-lethal soft foam projectiles and chemical agent projectiles. Patrol.
6. **LMT 4 Shot 40mm Launcher** - Cost \$1899, quantity 1. This 40mm launcher is a four round revolving cylinder launcher. Each 40mm launcher is capable of being used for a low-lethal soft foam projectile and chemical agent projectiles. SWAT/Special Operations Unit and Corrections.

ii. **Munitions -**

Defense Technologies 40mm "eXact iMPact" Sponge Round - Cost 21.57 each, quantity 335. This is a lightweight, high-speed projectile with a plastic body and foam (sponge) nose which is spin stabilized. The round is a point of aim, point of impact direct fire round that is used by tactical teams, SWAT teams, patrol deputies, and correctional deputies. The effect of this round is as a psychological and physiological distraction effective long enough for law enforcement to gain compliance of the subject. SWAT/Special Operations Unit, Tactical Team, Patrol, and Corrections.

b. **Purpose:**

All of the listed launch platforms have the same single purpose to deliver a 40mm round to an intended target. The launchers are capable of deploying all listed 40mm low lethal sponge tips, 40mm chemical agent rounds and non-chemical signal/emergency rounds. The Sheriff's Office utilizes single shot, break-open frame loading launchers for Patrol and the Tactical Team. The SWAT team and the Corrections SERT team both have a multi-launcher due to the controlled yet dangerous situations in which they would be authorized for use. There is only one low-lethal foam/sponge tip round utilized by the Sheriff's Office as listed above. This round can be deployed by all deputies who have completed the POST Less Lethal Course or similar course that meets the POST standard of training. The approved munitions may be used to compel an individual to cease their actions when such munitions present a reasonable option. A low-lethal round can be employed with a suspect who is armed with a weapon and the tactical circumstances allow for the safe application of the 40mm as an attempt to disarm the subject, the subject has made credible threats to harm themselves or others, or there is probable cause to believe that the subject has already committed a crime of violence and is refusing to comply with lawful orders.

c. **Authorized use:**

A low-lethal round can be utilized with a suspect who is armed with a weapon and the tactical circumstances allow for the safe application of the 40mm as an attempt to disarm the subject, the subject has made credible threats to harm themselves or others, or there is probable cause to believe that the subject has already committed a crime of violence and is refusing to comply with lawful orders. The low-lethal rounds can be used during violent assemblies as defined in 13652 PC and 13652.1 PC.

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d. Expected lifespan:

No annual maintenance expense. Replacement of cartridges as needed based on use.

e. Fiscal Impact:

No known expense, based on usage.

f. Training:

All Deputies who use a 40mm launcher must have been trained through a POST certified Less Lethal Course, or similar training that meets the POST standard of training. Those utilizing a launcher to deploy a chemical agent, must have completed the POST Chemical Agent course or similar training as well.

g. Legal and procedural rules:

It is the policy of the Sheriff's Office to utilize these devices only for official law enforcement purposes, pursuant to State and Federal law regarding the use of force. Specifically, the Sheriff's Office Policy 300- Use of force, 404- Special Operations Unit, 432-First Amendment Assemblies, as well as the California Penal Code 13652 and 13652.1.

12. Projectile Launch Platforms and Associated Munitions (Category 14)

a. Description, quantity, capabilities, and purchase cost:

i. Launch platform -

- 1. Remington 870 12 gauge Shotgun** - Cost \$300, quantity 34. Designated low-lethal shotguns used only for the deployment of low-lethal ammunition. All low-lethal shotguns are painted fluorescent orange to indicate to the handler during all lighting conditions this firearm is only to be used with low-lethal rounds. Patrol and Corrections.
- 2. Kel-Tec KSG 12 gauge Shotgun** - Cost \$929, quantity 18. Designated low-lethal shotguns used only for the deployment of low-lethal ammunition. All low-lethal shotguns are painted fluorescent orange to indicate to the handler during all lighting conditions this firearm is only to be used with low-lethal rounds. Corrections.

ii. Munitions -

- 1. Lightfield Less Lethal Mid-Range Rubber Slug** - Cost \$23/box of 5 rounds, quantity 200. This is a less lethal impact projectile intended for direct fire at targets between 20 and 40 yards. Patrol.
- 2. Lightfield Starlight Less Lethal Rounds** - Cost \$4.60, quantity 1370. This is a less lethal impact round that is made of a star like flexible rubber ball. This can be safely deployed at closer range than most low lethal rounds. Corrections.

b. Purpose:

These rounds can be deployed by all deputies who have completed the POST Less Lethal Course or similar course that meets the POST standard of training. The approved munitions may be used to compel an individual to cease their actions when such munitions present a reasonable option. A less lethal round can be employed with a suspect who is armed with a weapon and the tactical circumstances allow for the safe application of the rubber slug or Starlight round as an attempt to disarm the subject, the subject has made credible threats to harm themselves or others, or there is probable

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

c. Authorized use:

A less lethal round can be employed with a suspect who is armed with a weapon and the tactical circumstances allow for the safe application of the less-lethal shotgun and rubber bullet as an attempt to disarm the subject, the subject has made credible threats to harm themselves or others, or there is probable cause to believe that the subject has already committed a crime of violence and is refusing to comply with lawful orders. The low-lethal rounds can be used during violent assemblies as defined in 13652 PC and 13652.1 PC.

d. Expected lifespan:

No known expiration.

e. Fiscal Impact:

With no annual maintenance fees, only expense will be in replacement based on use.

f. Training:

All Deputies who use a low lethal shotgun with rubber bullets must have been trained through a POST certified Less Lethal Course or similar course that meets the POST standard of training.

g. Legal and Procedural rules:

It is the policy of the Sheriff's Office to utilize these devices only for official law enforcement purposes, pursuant to State and Federal law regarding the use of force. Specifically, the Sheriff's Office Policy 300- Use of force, 404- Special Operations Unit, 432-First Amendment Assemblies, as well as the California Penal Code 13652 and 13652.1.

13. Projectile Launch Platforms and Associated Munitions (Category 14)

a. Description, quantity, capabilities, and purchase cost:

i. Launch Platform-

FN 303 Less Lethal Launcher - Cost \$1,699, quantity 18. This is a compressed air less-lethal launcher that has a magazine that is capable of holding 15 projectiles. Corrections.

ii. Munitions -

FN 303 Projectile Impact Rounds - Cost \$3.53 each, quantity 840. These are 8.5 gram low-lethal projectiles that use a non-toxic bismuth forward payload to provide better accuracy and more effective range than other less-lethal systems. Primary effect of the projectile is trauma, which directly neutralizes the aggressor long enough for law enforcement time to gain compliance from the subject. Corrections.

b. Purpose:

This round can be deployed by all Deputies who have completed the POST Less Lethal Course or similar course that meets the POST standard of training. The approved munitions may be used to compel an individual to cease their actions when such munitions present a reasonable option. A low-lethal round can be employed with a suspect who is armed with a weapon and the tactical circumstances allow for the safe application of the FN 303 Projectile as an attempt to disarm the subject, the subject has

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made credible threats to harm themselves or others, or there is probable cause to believe that the subject has already committed a crime of violence and is refusing to comply with lawful orders.

c. Authorized use:

A low-lethal round can be employed with a suspect who is armed with a weapon and the tactical circumstances allow for the safe application of the less-lethal compressed air firing system and projectile as an attempt to disarm the subject, the subject has made credible threats to harm themselves or others, or there is probable cause to believe that the subject has already committed a crime of violence and is refusing to comply with lawful orders. The low-lethal rounds can be used during violent assemblies as defined in 13652 PC and 13652.1 PC.

d. Expected lifespan:

No known expiration.

e. Fiscal Impact:

With no annual maintenance fee, only expense will be in replacement based on use.

f. Training:

All Deputies who use the FN 303 must have been trained through a POST certified Less Lethal Course.

g. Legal and Procedural rules:

It is the policy of the Sheriff's Office to utilize these devices only for official law enforcement purposes, pursuant to State and Federal law regarding the use of force. Specifically, the Sheriff's Office Policy 300- Use of force, 404- Special Operations Unit, 432-First Amendment Assemblies, as well as the California Penal Code 13652 and 13652.1.

14. Projectile Launch Platforms and Associated Munitions (Category 14)

a. Description, quantity, capabilities, and purchase cost:

Defense Technology Stinger 32 Caliber Rubber Ball Device - Cost \$49.94 each, quantity 34. This is a hand deployed device that delivers three stimuli for psychological and physiological effects, rubber pellets, light, and sound.

b. Purpose:

This is a low lethal device that is placed by a Deputy both indoor and outdoor settings. The device can be used during violent assemblies as defined in 13652 PC, and in correctional settings when other low lethal options have not been successful. These devices provide a moment of distraction that is optimal to affect a safe arrest.

c. Authorized use:

When a low lethal force is necessary and other less lethal impact munitions as well as chemical agents are not successful to resolve violent disorder in a crowd. In the Corrections setting, this can be used with other less lethal options have not been successful for non-compliant or riotous inmates.

d. Expected lifespan:

Manufacturer suggests five years from date of purchase.

e. Fiscal Impact:

No specific fiscal impact. Maintenance of inventory as well expiration re-supply.

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f. Training:

For the Tactical Team, each member of the Tactical Team must be trained in the use and deployment of the device, to include regular Tactical Team training schedule. For Corrections, this device is operated and deployed by SERT (Specialized Emergency Response Team) members that have been trained in the deployment and use of the device, as well as have maintained regular training with SERT.

g. Legal and procedural rules:

It is the policy of the Sheriff's Office to utilize these devices only for official law enforcement purposes, pursuant to State and Federal law regarding the use of force. Specifically, the Sheriff's Office Policy 300- Use of force, 404- Special Operations Unit, 432-First Amendment Assemblies, as well as the California Penal Code 13652 and 13652.1.

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