

ORDINANCE NO. 1841

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADOPTING A MILITARY EQUIPMENT USE POLICY OF THE CITY OF GARDENA, CALIFORNIA GOVERNING THE USE OF MILITARY EQUIPMENT PURSUANT TO ASSEMBLY BILL 481.

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), adding Chapter 12.8, "Funding, Acquisition and Use of Military Equipment", to Division 7 of Title 1 of the Government Code (sections 7070 – 7075), relating to the use of military equipment by California law enforcement agencies; and

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

WHEREAS, the Gardena Police Department is in possession of certain items of equipment that qualify as "military equipment" under AB 481 and further intends to acquire other items of military equipment; and

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

WHEREAS, pursuant to Government Code section 7071(a)(2), if seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, the Gardena Police Department was obligated to, and has met the requirement, of commencing a City Council approval process for the Military Equipment Use Policy no later than May 1, 2022; and

WHEREAS, as further required by Government Code section 7071(a)(2), if the City Council does not approve the continuing use of military equipment, including by adoption pursuant to a Military Equipment Use Policy, within 180 days of submission of the proposed Military Equipment Use Policy to City Council, the Gardena Police Department shall cease its use of the military equipment until it receives the approval of City Council in accordance with this Ordinance; and

WHEREAS, Government Code Section 7071(b) requires that the Gardena Police Department post to its website the Military Equipment Use Policy that it plans to propose to the City Council, at least 30 days prior to any public hearing concerning the policy; and

WHEREAS, the Gardena Police Department has prepared a proposed Military Equipment Policy ("Policy"), attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, on March 23, 2022, the Gardena Police Department posted its draft Military Equipment Use Policy to its public website, thereby complying with the 30-day posting requirement prior to a public hearing before City Council on April 26, 2022; and

WHEREAS, the policy must be approved by the City Council by ordinance, and reviewed annually thereafter; and

WHEREAS, the military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;

WHEREAS, the proposed Military Equipment Use Policy will safeguard the public's health, welfare, safety, civil rights, and civil liberties;

WHEREAS, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety;

WHEREAS, 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;

WHEREAS, the Police Department has submitted the proposed Policy to the City Council and thereafter has made those documents available on the Police Department's website for at least 30 days prior to the public hearing concerning the military equipment at issue;

WHEREAS, the Policy satisfies the requirements of Government Code Section 7070(d);

WHEREAS, the City Council of the City of Gardena, having received the information required under AB 481 regarding the Gardena Police Department's use of military equipment as defined in said law, deems it to be in the best interest of the City to and hereby does approve the Military Equipment Policy.

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, DOES HERBY ORDAIN AS FOLLOWS:

SECTION 1: Recitals. The City Council finds that all the recitals, facts, findings, and conclusions set forth above in the preamble of this Ordinance are true and correct.

SECTION 2: Approval of Military Equipment Policy.**Military Equipment Policy.**

- (a) The Military Equipment Policy shall govern the use of military equipment by the Gardena Police Department. The Policy is attached to this Ordinance as Exhibit A.
- (b) The Policy shall be made publicly available on the Police Department's website for as long as the military equipment is available for use or as otherwise ordained by the City Council.
- (c) The Police Department shall submit an annual military equipment report to the City Council containing the information required by Government Code Section 7072 and the City Council shall thereafter determine whether each type of military equipment identified therein complied with the standards for approval set forth in Government Code Section 7071(d).
- (d) The City Council shall on an annual basis and at a regular meeting thereof review this ordinance and vote on whether to renew it pursuant to Government Code Section 7071(e)(2).
- (e) The definitions set forth in Government Code section 7070 shall apply to this ordinance. Any provision of state law referred to herein shall mean and include any amended or successor provision thereof.

SECTION 3: Compliance with CEQA. Adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines because it is not a "project" and because it can be seen with certainty that there is no possibility that the passage of this Ordinance will have a significant effect on the environment.

SECTION 4: Inconsistencies. Any provision of the Gardena Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 5: Uncodified Ordinance. This Ordinance shall not be codified in the Gardena Municipal Code unless and until the City Council so ordains.

SECTION 6: Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared

invalid or unconstitutional. No portion of this Ordinance shall supersede any local, state, or federal law, regulation, or codes dealing with life safety factors.

SECTION 7: Effective Date. This ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

SECTION 8: Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

APPROVED AND ADOPTED on this 24th day of May, 2022.


TASHA CERDA, Mayor

ATTEST: 
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:


CARMEN VASQUEZ, City Attorney

EXHIBIT A

MILITARY EQUIPMENT POLICY

Military Equipment

706.1 PURPOSE AND SCOPE

State

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

706.1.1 DEFINITIONS

State

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

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

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.

Military Equipment

706.2 POLICY

State

It is the policy of the Gardena Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR

Best Practice

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

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as 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 Gardena Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

State

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

ARMORED VEHICLES

Type: *Lenco BearCat G2 (FORD F-550 CHASSIS; VIN: 1FDAF5HT5DEB79977)*

Quantity: 1

Cost: \$259,932.03 (estimated)

Lifespan: 20+ years based on maintenance and care (estimated)

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Capabilities: The Lenco BearCat G2 can support first responders in any hazardous, high-risk, or critical incidents which would benefit from having a vehicle that provides a high level of ballistic protection.

Manufacturer's Description: The Lenco BearCat G2 is the standard tactical armored vehicle for special operations units within the US Law Enforcement community. Since the early 2000s, agencies such as LAPD, LASD SEB, NYPD ESU, Boston PD and hundreds of Federal, State and Local Law Enforcement agencies have made the BearCat G2 part of their standard operating procedure. The G2 has excellent on-road driving characteristics and maneuverability in tight urban settings. The large floor plan seats 10 – 12 fully equipped officers with a long list of tactical features only found on the Lenco BearCat line of armored SWAT vehicles for Police and Government.

Purpose: The purpose of the BearCat is to provide protection for the members of the Gardena Police Department and community members in high risk or critical incidents, such as serving high risk search warrants, arrest warrants of dangerous subjects, the safe transportation of law enforcement officers and for the rescue of injured residents and personnel.

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

Fiscal Impact: \$0 – 10,000 (estimated for maintenance)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: All drivers/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.

Type: *Major Incident Response Vehicle (MIRV) (FORD E-350 CHASSIS WITH MARATHON INDUSTRIES UTILITY BED "BOX STYLE"; VIN: 1FDWE35L87DA27297)*

Quantity: 1

Cost: \$60,000.00 (estimated)

Lifespan: 15+ years based on maintenance and care (estimated)

Capabilities: The MIRV is a custom-built vehicle used by SWAT personnel to transport the tools used by the SWAT Team. The MIRV can also serve as a mobile command post for SWAT operations. The MIRV seats two department personnel.

Manufacturer's Description: N/A

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Purpose: To be used in response to critical incidents where SWAT personnel are deployed. The equipment transported by the MIRV is used to enhance officer and community safety and assist in resolving critical incidents.

Authorized Uses: The use of the MIRV shall only be authorized by a SWAT commander based on the specific circumstances of a given critical incident. The MIRV shall be used only by officers trained in its deployment and operation in a manner consistent with Department policy and training.

Fiscal Impact: \$0 – 10,000.00 (estimated for maintenance)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Every SWAT operator is authorized to operate the MIRV.

Type: *Mobile Command Center Recreational Vehicle (RV) (2014 THOR OUTLAW 37LS)*

Quantity: 1

Cost: \$102,865.00 (estimated)

Lifespan: 15+ years based on maintenance and care (estimated)

Capabilities: The Mobile Command Center RV is a community meeting center as well as a command vehicle for emergency incidents.

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Manufacturer's Description:

Engine Brand Name	Triton®
Engine Type	V10
Cylinders	10
Horsepower (bhp/kW)	362 / 270.1
Horsepower RPM	4750
Torque (Ft Lbs/Nm)	457 / 619.6
Torque RPM	3250
Fuel Requirements	Regular
Fuel Type	Gas
Chassis Model	F-Series Super Duty
Chassis Brand	Ford
Displacement (l)	6.8
Carburetion Type	Fuel Injected
Length (ft/m)	38.33 / 11.7
Width (in/mm)	101 / 2565.4
Height (in/mm)	155 / 3937
Wheelbase (in/mm)	242 / 6146.8
Towing Capacity (lbs/kgs)	5000 / 2268
GVWR (lbs/kgs)	24000 / 10886.4
Fuel Capacity (gal/l)	80 / 302

Purpose: To be used in response to critical incidents where personnel are deployed. It can also be used as a community meeting center.

Authorized Uses: The use of the RV can be used as a community meeting center or for critical incidents. If for a critical incident, it shall only be authorized by an Incident Commander based on the specific circumstances of a given critical incident. The RV shall be used only by officers trained in its deployment and in a manner consistent with Department policy and training.

Fiscal Impact: \$0 – 10,000.00 (estimated for maintenance)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: The RV shall be used only by officers trained in its deployment and in a manner consistent with Department policy and training.

Military Equipment

PROJECTILES

Type: 40mm Sponge Rounds (Part #6325)

Quantity: Not to Exceed 1000

Cost: \$17.00 each (estimated)

Lifespan: 5 years from date of manufacture

Capability: The 40mm eXact iMPact™ Sponge Round will prove most successful for incapacitation when used within its optimal energy range of approximately 5 – 40 meters, although it may be used in situations from 1.5 – 50 meters. The optimal zone offers the necessary energy and accuracy to target the large muscle groups of the buttocks, thigh, and even the knees of the subject. These areas provide sufficient pain stimulus, while greatly reducing serious or life-threatening injuries.

Manufacturer's Description: This lightweight, high-speed projectile incorporates a plastic body and a foam (sponge) nose which is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant and has velocities that are extremely consistent. The 40mm eXact iMPact™ Sponge Round is a "point-of-aim, point-of-impact" direct fire round that is most commonly used by tactical teams in situations where maximum deliverable energy is desired for the incapacitation of an aggressive, non-compliant subject. In many municipalities, these are being selected for both tactical call outs and as an available option for patrol.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for use of the non-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 – 17,000.00 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: Sworn personnel utilizing 40mm less-lethal chemical agents or impact rounds are trained in their use by certified less lethal and chemical agent instructors.

Type: 40mm Oleoresin Capsicum (OC) (Part #-6320)

Quantity: Not to Exceed 100

Cost: \$18.25 each (estimated)

Military Equipment

Lifespan: 5 years from date of manufacture

Capability: The 40mm Direct Impact munition is a less lethal 40mm lightweight plastic and crushable foam projectile fired from a single 40mm launcher. It delivers OC irritant upon impact.

Manufacturer's Description: The 40mm Direct Impact® munition is a point-of-aim, point-of-impact direct-fire round. An excellent solution whether you need to incapacitate a single subject or control a crowd. When loaded with OC powder, the Direct Impact combines blunt trauma with the effects of an irritant powder, maximizing the potential for incapacitation.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for use of the non-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 – 1,825.00 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: Only SWAT operators or members of the Mobile Field Force Team who have completed the required POST training shall be permitted to deploy the 40mm OC. Use is established by the SWAT Commander and/or Incident Commander.

Type: *40mm Oleoresin Capsicum (OC) Ferret (Part # 2290)*

Quantity: Not to Exceed 100

Cost: \$20.06 each (estimated)

Lifespan: 5 years from date of manufacture

Capability: It is capable of penetrating barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impact the nose of the projectile ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

Manufacturer's Description: The Ferret® 40 mm Barricade Penetrating Round is filled with an OC powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impact the nose of the projectile ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

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Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for use of the non-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 – 2,006.00 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: SWAT operators utilizing 40mm less-lethal chemical agents or impact rounds are trained in their use by certified less-lethal and chemical agent instructors.

Type: 40mm CS Ferret (Part # 2292)

Quantity: Not to Exceed 100

Cost: \$19.44 each (estimated)

Lifespan: 5 years from date of manufacture

Capability: The 40mm CS Ferret is a less lethal 40mm round used to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure of vehicle.

Manufacturer's Description: The Ferret® 40 mm Barricade Penetrating Round is filled with a CS powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the nose of the projectile ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for use of the non-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 – 1,944.00 (estimated)

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Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: SWAT operators utilizing 40mm less-lethal chemical agents or impact rounds are trained in their use by certified less-lethal and chemical agent instructors.

Type: *Projectile Pepper Ball Munition (Inert)*

Quantity: Not to Exceed 10,000

Cost: \$853.00 (375 rounds) (estimated)

Lifespan: 3 years from date of manufacture

Capabilities: This projectile can travel at a velocity of 280-300 fps and is best suited for training, qualifications, and direct impact when chemical exposure is not desired.

Manufacturer's Description: Containing a harmless, scented powder, this projectile is best suited for training, qualifications, and direct impact when chemical exposure is not desired.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the non-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only those officers who have been trained in the use of Pepper Ball launchers are authorized to use the Pepper Ball launchers and munitions. All other Gardena Police Department policies remain in effect, including, but not limited to, Gardena Police Department Policy 300 – Use of Force.

Fiscal Impact: \$0 – 22,178.00 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: SWAT operators and members of the Mobile Field Force Team utilizing Pepper Ball launchers and munitions are trained in their use by a POST-certified, less-lethal and chemical agent instructor.

Type: *Live-X Projectile Pepper Ball Munition (Live-X)*

Quantity: Not to Exceed 2250

Cost: \$1,060.00 each (375 rounds) (estimated)

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Lifespan: 3 years from date of manufacture

Capabilities: This projectile can travel at 280-300 fps with a payload of 2.5 grams. It is the equivalent of 10 regular Pepper Ball Live™ rounds.

Manufacturer's Description: Our most potent and powerful concentration of PAVA pepper powder. One round of LIVE-XTM contains the equivalent PAVA irritant chemical agent in 10 regular Pepper Ball® LIVETM rounds.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the non-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only those officers who have been trained in the use of Pepper Ball launchers are authorized to use the Pepper Ball launchers and munitions. All other Gardena Police Department policies remain in effect, including, but not limited to, Gardena Police Department Policy 300 – Use of Force.

Fiscal Impact: \$0 – 6,360.00 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: SWAT operators and members of the Mobile Field Force Team utilizing Pepper Ball launchers and munitions are trained in their use by a POST-certified, less-lethal and chemical agent instructor.

PROJECTILE LAUNCHERS

Type: *Defense Technology 40mm Launcher (Part #1425)*

Quantity: Not to Exceed 40

Cost: \$1,193.23 each (estimated)

Lifespan: 25 years (estimated)

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

Manufacturer's Description: Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling

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attachment. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; crowd control and civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 - \$47,729.20 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

Training: Sworn personnel utilizing 40mm less-lethal chemical agents or impact rounds are trained in their use by certified less lethal and chemical agent instructors.

Type: *Defense Technology 40mm 4 or 6-Shot Launcher (Part # 1440)*

Quantity: Not to Exceed 2

Cost: \$2,783.88 each (estimated)

Lifespan: 15 years (estimated)

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

Manufacturer's Description: Designed for riot and tactical situations, the Defense Technology® 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; crowd control and civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

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Fiscal Impact: \$0 – 5,567.76 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: SWAT operators and members of the Mobile Field Force Team utilizing 40mm less-lethal chemical agents or impact rounds are trained in their use by certified less lethal and chemical agent instructors.

Type: *Pepper Ball Launchers (Full Tactical Carbine (FTC))*

Quantity: Not to Exceed 8 launchers

Cost: \$999.95 each (estimated)

Lifespan: 20 years (estimated)

Capabilities: A non-lethal munitions system that employs paint ball launchers to fire “pepper balls” that contain powdered OC in place of the paint. The pepper ball delivery system combines chemical agent exposure with kinetic energy impact to aid in its effectiveness in addressing armed and/or violent individuals or crowds. Pepper ball munitions also include glass breaking rounds and marking rounds.

Manufacturer’s Description: Pepper Ball launchers are designed for minimum time between launches and quick reload speed, so whether in a crowd control scenario, tactical or even Mobile Field Force situation, the Pepper Ball system offers flexibility, safety and security, all within one platform. Launchers range from a compact lightweight hand-held style that fits on a standard duty belt to a longer barreled shoulder-mounted launcher with greater range and projectile capacity. Each launcher is air powered, with either carbon dioxide (CO₂), nitrogen, or compressed air powering the launch of projectiles. Pepper Ball launchers are not classified as firearms.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapons systems may include, but are not limited to self-destructive, dangerous and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only those SWAT operators or members of the Mobile Field Force Team who have been trained in the use of Pepper Ball launchers are authorized to use the Pepper Ball launchers.

Fiscal Impact: \$0 - 7,999.60 (estimated)

Policy and Procedure: Lexipol Policy 303 Control Devices and Techniques

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Training: Only assigned operators or members of the Mobile Field Force Team who have completed the required training from POST-certified instructors shall be permitted to deploy the Pepper Ball Launchers and Pepper Ball Munitions. Use is established by the SWAT Commander and/or Incident Commander.

AMMUNITION

Type: *Duty: Winchester Ranger, .223 Remington 55 grain pointed soft point*
Range: Winchester 5.66mm, 55 grain Full Metal Jacket

Quantity: Duty Not to Exceed: 10,000 rounds
Range Not to Exceed: 10,000 rounds

Cost: Duty: \$0.57 per round, \$572.00 for 1000 rounds (estimated)
Range: \$0.37 per round, \$378.00 per 1000 rounds (estimated)

Lifespan: 5 years from date of purchase

Capabilities: The projectile is capable of penetrating soft body armor being worn by armed subjects.

Manufacturer's Description: The .223/5.66 cartridge is used as a lethal option designed to stop a violent encounter.

Purpose: To be utilized with the AR 15/M4 Carbine/HK 416 in accordance with Department policy.

Authorized Uses: To be utilized with the AR 15/M4 Carbine/HK 416 in accordance with Department policy.

Fiscal Impact: Duty: \$0 – 5,720.00 (estimated)
Range: \$0 – 3,780.00 (estimated)

Policy and Procedure: Lexipol Policy 306 Firearms Policy

Training: All sworn personnel are trained by POST-certified firearms instructors for the use M4 and AR 15s. SWAT operators receive additional training from POST-certified firearms instructors in the operation of the HK 416.

Type: *Defense Technology 12-Gauge Drag Stabilized Round (Part # 3027)*

Quantity: Not to Exceed 250

Cost: \$5.82 each (estimated)

Lifespan: 5 years from manufacture date

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Capabilities: This round has a velocity of 270 fps with a maximum effective range of 75 feet.

Manufacturer's Description: The Drag Stabilized™ 12-Gauge Round is 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 stabilizing tails and utilizes smokeless powder as the propellant. The 12-Gauge Drag Stabilized Round has secured its place as the Law Enforcement Communities' number one choice for specialty impact munitions.

Purpose: To limit the escalation of conflict where the employment of lethal force is prohibited or undesirable.

Authorized Uses: Situations for use of the non-lethal weapon, the Remington 870, system may include, but are not limited to: self-destructive, dangerous, and/or combative individuals; civil unrest incidents; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 – 1,455.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Only sworn personnel who have completed the required POST training shall be permitted to deploy the Defense Technology 12-Gauge Drag Stabilized Round.

Type: .308 Caliber Rifle Ammunition (Winchester S308M)

Quantity: Not to Exceed 2,000

Cost: \$1.29 each (case of 200 rounds \$259.00) (estimated)

Lifespan: 5 years from manufacture date

Capabilities: This ammunition enables SWAT long rifle operators the ability to engage hostile suspects at a distance with precision rifle fire.

Manufacturer's Description: Designed for use in rifles equipped with fast twist (1:7" to 1:9") barrels; Match-style Bullet - Proven performance and extreme accuracy on the range; Proven Hollow Point Boattail Design - Sleek profile, large boattail and small hollow point maximizes long-range accuracy.

Purpose: To be used with the Remington 700 or Remington R10.

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Authorized Uses: The .308 Caliber Rifle Ammunition is authorized when used by the Remington 700 or Remington R10.

Fiscal Impact: \$0 – 2,590.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Only assigned SWAT long rifle operators who have completed the required training shall be permitted to operate the rifle with this ammunition. Use is established by the SWAT Commander and/or Incident Commander.

Type: *Duty: Winchester Ranger, 9mm Luger 115 grain Hollow Point*
Range: Winchester Target, 9mm Luger 115 grain Full Metal Jacket

Quantity: Duty: Not to Exceed 30,000
Range: Not to Exceed 30,000

Cost: Duty: \$0.32 per round, \$324.000 per 1,000 rounds (estimated)
Range: \$0.22 per round, \$223.00 per 1,000 rounds (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: This ammunition enables SWAT operators the ability to stop an armed subject at various distances.

Manufacturer's Description:

Duty: Threat stopping performance. It's what makes Ranger T-Series the trusted duty load law enforcement agencies across America. The bullet's patented, segment engineered design enhances expansion, penetration and weight retention through a variety of intervening barriers.

Range: Backed by generations of legendary excellence, Winchester "USA White Box" stands for consistent performance and outstanding value, offering high-quality ammunition to suit a wide range of shooter's needs.

Purpose: To be used with the MP-5.

Authorized Uses: The Winchester Ranger and Winchester Target Ammunition are authorized when used with the MP-5.

Fiscal Impact: Duty: \$0 – 9,720.00 (estimated)
Range: \$0 – 6,690.00 (estimated)

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Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Only assigned SWAT operators who have completed the required training shall be permitted to operate the MP-5. Use is established by the SWAT Commander and/or Incident Commander.

FIREARMS:

Type: *AR 15/M4 Carbine/HK416*

Quantity: Not to Exceed 100

Cost: \$865.26 (estimated)

Lifespan: No expiration

Capabilities: The AR 15/Carbine Rifle/HK 416 is a firearm capable of accurately stopping an armed subject at various distances.

Manufacturer's Description: A lightweight, air-cooled, gas-operated, magazine-fed shoulder-fired weapon designed for semi-automatic fire (or select fire for HK416).

Purpose: To be used as a precision weapon to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

Authorized Uses: Only members that are POST certified are authorized to use a rifle. Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.
- f. When authorized or requested by a supervisor.
- g. When needed to euthanize an animal.

HK 416's are only authorized for SWAT use in tactical situations.

Fiscal Impact: \$0 – 1,000.00 each (estimated for maintenance)

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Policy and Procedure: Lexipol Policy 306.33 Patrol Rifles

Training: All sworn personnel are trained by POST-certified firearms instructors for the use of M4s and AR 15s. SWAT operators receive additional training from POST-certified firearms instructors in the operation of the HK 416.

Type: *Remington 870 Magnum 12 Gauge Shot Lock (Repurposed Remington 870 Magnum modified with a breaching barrel)*

Quantity: Not to Exceed 3

Cost: \$0

Lifespan: 25 years (estimated)

Capabilities: This tool allows for officers to safely utilize shotgun breaching rounds to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the device into the correct position and vents gasses to prevent overpressure. This device can also defeat windows and sliding glass doors with a flash bang round.

Manufacturer's Description: The Remington 870 family of shotguns was first introduced by Remington in the 1950s and since, has become one of the most popular USA-made pump action shotguns ever. Sales of the 870 reached over 7 million guns by 1996 and have continued to grow. This particular model is configured with a pistol grip and door-breaching accessory threaded into the barrel making it ideal for forceful entry situations.

Purpose: During crisis situations, it may become necessary for a SWAT team to facilitate an entry into a target location. It is critical the point of entry is breached as quickly and as safely as possible. A quick and effective breach may be required to provide an added degree of safety and tactical advantage in order to accomplish a mission.

Authorized Uses: A shot gun breach should only be utilized after taking into consideration the overall mission, officer and citizen safety, the overall construction of the structure, the presence of unstable chemicals, explosives or incendiary materials, and whether other means of mechanical breaching would be effective and safe to use. The option to use a shot gun breach shall be at the discretion of the SWAT Team Leader or the Incident Commander.

Fiscal Impact: \$0 – 150.00 (estimated for maintenance)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Only assigned operators who have completed the required POST training shall be permitted to deploy the Remington 870 Magnum 12 Gauge Shot Lock.

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Type: *Remington 870 – Less-Lethal Shotgun (Repurposed Remington Shotguns from Patrol)*

Quantity: Not to Exceed 4

Cost: \$946.00 (estimated)

Lifespan: 25 years (estimated)

Capabilities: This less lethal shotgun is specifically designated for use with kinetic energy projectiles and is specially marked in a manner that makes them readily identifiable as such. It can deploy at a distance up to 75 feet. They are 12-gauge with a 6+1 magazine capacity.

Manufacturer's Description: As one of the most popular shotguns of all time, the Model 870 is offered in dozens of configurations to suit hundreds of applications. It is the heart of the Model 870's landmark dependability and durability.

Purpose: To limit the escalation of conflict where the employment of lethal force is prohibited or undesirable.

Authorized Use: Situations for use of the less lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; potentially vicious animals; and training exercises or approved demonstrations.

Fiscal Impact: \$0 – 200.00 (estimated for maintenance)

Policy and Procedure: Lexipol Policy 306

Training: Only sworn personnel who have completed the required POST training shall be permitted to deploy the Remington 870.

Type: *MP-5 Select Fire Firearm*

Quantity: Not to Exceed 20

Cost: \$3,128.29 each (estimated)

Lifespan: No expiration

Capabilities: A compact, modular, lightweight, select fire firearm chambered in 9mm. The MP-5 is one of the most widely used firearm by SWAT teams in North America. The firearm provides the ability to deliver precision gun fire with a shoulder fired weapons system that is accurate, reliable, and safe. Its compact design allows for ease of maneuverability when operating in the open or within interior environments.

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Manufacturer's Description: Probably the most popular series of select fire guns in the world, it functions according to the proven roller-delayed blowback principle. Tremendously reliable, with maximum safety for the user, easy to handle, modular, extremely accurate and extraordinarily easy to control when firing – features that are particularly appreciated by security forces and military users worldwide.

Purpose: To be used as a precision weapon to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

Authorized Uses: A sworn police officer who is member of the SWAT team may utilize an MP-5. Members may deploy the MP-5 in any circumstance where the member can articulate a reasonable expectation that the MP-5 may be needed. Examples of some general guidelines for deploying the MP-5 may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.
- f. When authorized or requested by a supervisor.
- g. When needed to euthanize an animal.

Fiscal Impact: \$0 – 500.00 (estimated for maintenance)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Only assigned SWAT operators who have completed the required training shall be permitted to operate the MP-5. Use is established by the SWAT Commander and/or Incident Commander.

Type: *Remington 700 Precision .308 Bolt Action Rifle*

Quantity: Not to Exceed 4

Cost: \$2,000 (estimated)

Lifespan: No expiration

Capabilities: The bolt action sniper rifle provides SWAT long rifleman the ability to engage a suspect at up to 600 yards with precision accuracy.

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Manufacturer's Description: It's the number one bolt-action of all time, proudly made in the U.S.A. For over 50 years, more Model 700s have been sold than any other bolt-action rifle before or since. The legendary strength of its 3-rings-of-steel receiver paired with a hammer-forged barrel, combine to yield the most popular bolt-action rifle in history. Top choice of elite military snipers, the Model 700 is unequalled in tactical precision. Whether defending freedom or pursuing big game, its out-of-the-box accuracy is unmatched.

Purpose: To be used as a precision weapon to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

Authorized Uses: SWAT operators who have been trained as a long rifleman/observer may use the Remington 700 during SWAT team operations. Examples of some general guidelines for deploying the Remington 700 may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.
- f. When authorized or requested by a supervisor.
- g. When needed to euthanize an animal.

Fiscal Impact: \$0 – 5,200.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes pursuant to State and Federal law.

Training: Only assigned SWAT long rifle operators who have completed the required training shall be permitted to operate the rifle. Use is established by the SWAT Commander and/or Incident Commander.

Type: *Remington R10 .308 Caliber Select Fire Rifle*

Quantity: Not to Exceed 4

Cost: \$2,836.00 each (estimated)

Lifespan: No expiration

Capabilities: This is a semi-automatic precision rifle with precision optics and provides SWAT long rifleman the ability to engage a suspect at up to 800 meters with precision accuracy.

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Manufacturer's Description: The R10's hammer-forged, sniper-grade barrel features 5R rifling for added precision and an effective range out to 800 m. All R10s have fully ambidextrous controls and free floated modular Remington Arms Handguards.

Purpose: The rifle provides SWAT long rifle operators and team spotters the ability to rapidly deploy and provide overwatch for team movements.

Authorized Uses: SWAT operators who have been trained as a long rifleman/observer may use the Remington R10 during SWAT team operations. Examples of some general guidelines for deploying the Remington R10 may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.
- f. When authorized or requested by a supervisor.
- g. When needed to euthanize an animal.

Fiscal Impact: \$0 – 2,000.00 (estimated for maintenance)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: Only assigned SWAT long rifle operators who have completed the required training shall be permitted to operate the rifle. Use is established by the SWAT Commander and/or Incident Commander.

HAND THROWN GAS

Type: *Flameless Oleoresin Capsicum (OC) Expulsion (Part # 2040)*

Quantity: Not to Exceed 30

Cost: \$36.00 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: This canister's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area consisting of approximately 1,500 square feet. The Flameless Expulsion Canister has a 1.5 second delay, followed by sub-munitions that mechanically activate a CO2 cartridge. The released CO2 pressure expels the powder through one or

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two (or both) ports on the side of the canister within seconds.

Manufacturer's Description: The Flameless Expulsion canister is designed for indoor use. This canister's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area consisting of approximately 1,500 square feet. The Flameless Expulsion Canister has a 1.5 second delay, followed by sub-munitions that mechanically activate a CO2 cartridge. The released CO2 pressure expels the powder through one or two (or both) ports on the side of the canister within seconds. The Flameless Expulsion canister is extremely safe for indoor use. The extremely light powder from the agent will remain airborne for extended periods depending on the draft conditions. The Expulsion canister cannot be launched.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 1,080.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *Multi-Use CS Smoke (Part #1082)*

Quantity: Not to Exceed 50

Cost: \$26.33 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: A high volume continuous burn canister that expels its payload in approximately 20 - 40 seconds.

Manufacturer's Description: Designed specifically for outdoor use in crowd control situations, the canister is a high volume continuous burn canister that expels its payload in approximately 20 - 40 seconds. It has slightly less chemical content than the Spede-Heat™ version, but differs mainly in size. The longer burn time may allow for throwback by individuals wearing burn protection such as a welder's mitt. The canisters may be

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protected from advancing individuals with the use of less lethal impact munitions. The device should be deployed utilizing wind advantage.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 1,316.50 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *Stinger CS Rubber Balls (Part # 1088)*

Quantity: Not to Exceed 100

Cost: \$45.00 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: The Stinger® CS Rubber Ball is a maximum effect device that delivers four stimuli for psychological and physiological effects: rubber pellets, light, sound, and CS. It has an initial 1.5 second delay that initiates fuze assembly separation, followed by another .5 second delay before the blast which is sufficient to project the rubber balls and chemical agent in a 50-foot radius.

Manufacturer's Description: The Stinger® canister is a combination Less Lethal Impact Munitions and Distraction Device® that may incorporate optional CS or OC laden powder, if desired. The Stinger® canister is a maximum effect device as it delivers up to four stimuli for psychological and physiological effect: rubber pellets, light, sound, and optional chemical agent or Oleoresin Capsicum (OC). The Stinger® canister has an initial 1.5 second delay that initiates fuze assembly separation, followed by another 0.5 second delay before the function of the device. The blast is sufficient to project the rubber balls and optional chemical agent in a 50-foot radius.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest

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incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 4,500.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *Triple Chaser Smoke (Part #1027)*

Quantity: Not to Exceed 25

Cost: \$35.50 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This apparatus can be hand thrown or launched from a fired delivery system and is an effective way to quickly deploy a wide blanket of agent.

Manufacturer's Description: The Triple-Chaser® is a fast burning, medium volume canister. It is a pyrotechnic canister consisting of three (3) separate canisters pressed together with separating charges between each section. When deployed, this apparatus will separate into three (3) distinct sub-munitions spaced approximately 20 feet apart – allowing increased area coverage in a short period of time, from one deployment. Terrain and surface conditions can affect the distance of the separating sub-munitions.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 887.50 (estimated)

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Policy and Procedure: It is the policy of the Gardena Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *Triple Chaser CS (Part #1027)*

Quantity: Not to Exceed 25

Cost: \$47.00 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This apparatus can be hand thrown or launched from a fired delivery system and is an effective way to quickly deploy a wide blanket of agent.

Manufacturer's Description: The Triple-Chaser® is a fast burning, medium volume canister. It is a pyrotechnic canister consisting of three (3) separate canisters pressed together with separating charges between each section. When deployed, this apparatus will separate into three (3) distinct sub-munitions spaced approximately 20 feet apart – allowing increased area coverage in a short period of time, from one deployment. Terrain and surface conditions can affect the distance of the separating sub-munitions.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 1,175.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

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Type: *Pocket Tactical CS (Part #1016)*

Quantity: Not to Exceed 100

Cost: \$25.19 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: The Pocket Tactical is a small lightweight easily carried device that provides a medium volume of chemical agent or smoke for certain situations.

Manufacturer's Description: The Pocket Tactical is a quick burning, reduced volume, continuous discharge canister available in Oleoresin Capsicum (OC), CN, CS, and Saf-Smoke. Pelletized chemical agent or smoke is discharged through one (1) gas port located on the bottom of the canister. The Pocket Tactical is a small, lightweight, easily carried device that provides a medium volume of chemical agent or smoke for certain situations. It was designed with the tactical team in mind for distraction, concealment, rescue, or signaling. The pocket canister is not specifically intended as a crowd management device; however, it can be used in chemical configurations in conjunction with larger smoke canisters to "piggy back" chemical agents into a predominately smoke environment. This device should be deployed utilizing wind advantage. It should NOT be deployed onto rooftops, in crawl spaces, or indoors due to its fire-producing capability. Hand throw or launch.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 2,519.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *Flameless Tri-Chamber CS (Part #1032)*

Quantity: Not to Exceed 20

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Cost: \$36.63 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: The design of the Tri-Chamber Flameless CS canister allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. It can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

Manufacturer's Description: The Tri-Chamber Flameless canister is designed for indoor use. This canister's pyrotechnic contents are burned within an internal can that is one of three in this design. The internal combustion allows the chemical-laden smoke to be released through three (3) ports on the outer canister side while safely containing any of the fire-producing properties within the two internal canisters. The fuze is shrouded to further protect surrounding materials from the possibility of fire. The Tri-Chamber Flameless canister can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 732.60 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *Flameless Tri-Chamber Smoke (Part #1033)*

Quantity: Not to Exceed 20

Cost: \$29.50 each (estimated)

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Lifespan: 5 years from date of manufacture

Capabilities: The Tri-Chamber Flameless canister can be used in crowd control as well as tactical deployment situations. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.

Manufacturer's Description: The Tri-Chamber Flameless canister is designed for indoor use. This canister's pyrotechnic contents are burned within an internal can that is one of three in this design. The internal combustion allows the chemical-laden smoke to be released through three (3) ports on the outer canister side while safely containing any of the fire-producing properties within the two internal canisters. The fuze is shrouded to further protect surrounding materials from the possibility of fire.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 590.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

Type: *MK 46 Vertical 1st Defense (Part # 56746V)*

Quantity: Not to Exceed 10

Cost: \$335.00 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: This will deliver 26 short bursts of Oleoresin Capsicum (OC) at an effective range of 25-30 ft.

Manufacturer's Description: The MK-46 features a trigger handle, is intended for use in crowd management and will deliver 26 short bursts of Oleoresin Capsicum (OC) at an effective range of 25-30 ft. This .7% MC OC aerosol product utilizes a stream delivery

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method providing a target-specific, strong concentrated stream for greater standoff. Non-flammable / Electronic Discharge Weapon (EDW) safe.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include, but are not limited to self-destructive, dangerous, and/or combative individuals; civil unrest incidents; circumstances where a tactical advantage can be obtained; potentially vicious animals; and training exercises or approved demonstrations.

Authorized Uses: Only SWAT operators and members of the Mobile Field Force Team who have received POST certification in the use of chemical agents are authorized to use chemical agents.

Fiscal Impact: \$0 – 3,350.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: SWAT operators and members of the Mobile Field Force Team utilizing chemical agent canisters are certified by POST less-lethal and chemical agent instructors.

DIVERSIONARY DEVICES

Type: *Low Roll Distraction Device (Part #8922 – HH)*

Quantity: Not to Exceed 50

Cost: \$46.00 each (estimated)

Lifespan: 5 years from date of manufacture

Capabilities: Diversionary Devices are capable of releasing large amounts of stored energy in the form of heat, light, pressure, and noise. They are intended to temporarily distract, confuse, and disorient subjects. They can also be used as “attention-getting” devices.

Manufacturer’s Description: The 11-Gram Low Roll II® Non-Reloadable Distraction Device®, High Humidity utilizes an M201A1 type fuze with Hex design steel body. This compact version of the 8933 Low Roll Distraction Device body is the newest version of the first reusable non-bursting canisters that limits movement and rolling once deployed.

Purpose: A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations. It produces atmospheric overpressure and brilliant white light, and as a result, can cause short-term (6-8 seconds) physiological/psychological, sensory deprivation to give officers a tactical advantage.

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Authorized Uses: Diversionary Devices shall only be used by SWAT operators who have been trained in their proper use; in hostage and barricaded suspect situations; in high-risk warrant (search/arrest) services where there may be extreme hazards to officers; during other high-risk situations where their use would enhance officer safety; and during training exercises.

Fiscal Impact: \$0 – 2,300.00 (estimated)

Policy and Procedure: It is the policy of the Gardena Police Department to utilize this equipment only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

Training: Prior to use, SWAT operators must attend diversionary device training that is conducted by POST-certified instructors.

706.5 APPROVAL

State

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall 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 governing body prior to engaging in any of the following (Government Code § 7071):

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

706.6 COORDINATION WITH OTHER JURISDICTIONS

State

Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Any military equipment that is deployed or used by

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other jurisdictions that are providing mutual aid to this Department shall comply with their respective military equipment use policies. Situations may arise where the Gardena Police Department may deploy or use military equipment owned by other law enforcement agencies, in these situations, Gardena Police Department is authorized to deploy or use a different agency's military equipment as authorized in this policy.

The Gardena Police Department hereby adopts the military equipment use policy as is approved, and may be amended from time to time, under Government Code section 7070 *et seq.*, for jurisdictions that the Gardena Police Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Gardena Police Department to deploy or use the military equipment of another jurisdiction.

706.7 ANNUAL REPORT

State

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

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

706.8 COMMUNITY ENGAGEMENT

State

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 PROCEDURE

This procedure is to ensure compliance with the military equipment use policy. All complaints, concerns, or questions submitted regarding this policy will be handled pursuant to the Department's normal complaint process (Lexipol Policy 1010) and be handled in a timely manner.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance being **Ordinance No. 1841** was duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a special meeting of said City Council held on the **24th day of May 2022**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS FRANCIS AND HENDERSON, MAYOR PRO TEM
 TANAKA, COUNCIL MEMBER KASKANIAN, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE



City Clerk of the City of Gardena, California

(SEAL)