



Appendix B

Santa Clara County Sheriff's Office

Custody Bureau Military Equipment List

The following list contains the inventory of equipment in the possession of the Santa Clara County Sheriff's Office Custody Bureau as of March 18, 2022, that qualifies as military equipment under state law. Although specific manufacturers are listed for certain equipment below, the Sheriff's Office may acquire substantially identical equipment from a different manufacturer for the same purpose and authorized use and subject to the same restrictions and training requirements. This list shall be updated, and Board approval sought as required by Gov. Code § 7071, in the event that the Sheriff's Office acquires new or additional equipment or if the uses or training for existing equipment change.

1. CHEMICAL AGENTS (CATEGORY 12):

a. Quantity, Description, Capabilities, and Purchase Cost:

- i. **SABRE Red Stream (MK-9);** Cost: \$56/unit; Quantity: 227
The SABRE Red MK-9 High Volume Streamer is an OC chemical agent delivery system that contains 1.33% Major Capsaicinoids that is used to deploy a long-range stream that is used to gain compliance from (a) subject(s) at a further distance.
- ii. **SABRE Red PHANTOM Delivery System (MK-9);** Cost \$180/unit; Quantity: 95
The SABRE Red PHANTOM Evaporating Fog Delivery System is an OC chemical agent delivery system that contains 1.33% Major Capsaicinoids that is used to deploy an evaporating fog that is used to gain compliance from (a) subject(s) over a large area.
- iii. **SABRE Red PHANTOM Cell Buster (MK-9);** Cost: \$170/unit; Quantity: 16
The SABRE Red PHANTOM Evaporating Fog Delivery Cell Buster is an OC chemical agent delivery system that contains 1.33% Major Capsaicinoids that is used to deploy an evaporating fog with a wand attachment that is used to gain compliance from (a) subject(s) in a cell or small confined area.
- iv. **SABRE Red MK-46 High Volume Streamer;** Cost: \$672/unit; Quantity: 17
The SABRE Red MK-46 High Volume Streamer is an OC chemical agent delivery system that contains 1.33% Major Capsaicinoids that is used to deploy a long-range stream that is used to gain compliance from (a) subject(s) at a further distance and is ideal for crowd management and correctional applications.
- v. **SABRE Red MK-46 1.33% MC High Volume Streamer Refill;** Cost: \$63/unit; Quantity: 16
The SABRE Red MK-46 1.33% MC High Volume Streamer Refill is a container of non-flammable OC chemical agent that contains 1.33% Major Capsaicinoids that is used to refill the SABRE Red MK-46 High Volume Streamer.
- vi. **Defense Technology First Defense MK-46V;** Cost: \$601.56/unit; Quantity: 4



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The Defense Technology First Defense MK-46V Stream OC Aerosol is an OC chemical agent delivery system that contains 1.3% Major Capsaicinoids that is used to deploy a stream with a wand attachment that is used to gain compliance from (a) subject(s) in a cell or small confined area.

- vii. Aerko International CLEAR OUT Grenade 6 oz Actuator;** Cost: \$18.66/unit;
Quantity: 39

The Aerko International CLEAR OUT Grenade 6 oz is a chemical agent delivery system that contains 1% CS and 1% OC that is used to deploy an invisible fog that is used to gain compliance from (a) subject(s) and force them from a larger barricaded position. Equipped with a lock down total release actuator system.

- viii. Aerko International CLEAR OUT Grenade 6 oz Flip Top;** Cost: \$26.64/unit;
Quantity: 29

The Aerko International CLEAR OUT Grenade 6 oz is a chemical agent delivery system that contains 1% CS and 1% OC that is used to deploy an invisible fog that is used to gain compliance from (a) subject(s) and force them from a larger barricaded position. Equipped with a high-volume fogger flip top.

- ix. Aerko International CLEAR OUT Grenade 2 oz;** Cost: \$22.29/unit; Quantity: 35

The Aerko International CLEAR OUT Grenade 2 oz is a chemical agent delivery system that contains 1% CS and 1% OC that is used to deploy an invisible fog that is used to gain compliance from (a) subject(s) and force them from a smaller barricaded position.

- x. Aerko International CLEAR OUT KEYHOLER;** Cost: \$27.03/unit; Quantity: 25

The Aerko International CLEAR OUT Grenade 6 oz is a chemical agent delivery system that contains 1% CS and 1% OC that is used to deploy an invisible fog with 1/8-inch tubing through any existing small entry point that is used to gain compliance from (a) subject(s) and force them from a barricaded position.

b. Purpose:

Chemical agents are used as a non-lethal de-escalation tool in many potentially violent situations including, but are not limited to, persons engaging in assaultive behavior or self-harm. The chemical agents deployed by the Santa Clara Sheriff's Office are CS (2-Chlorobenzylidene Malononitrile) and OC (Oleoresin Capsicum), both of which are standard across United States law enforcement.

c. Authorized Use and Training:

With the exception of Grenades (1.a.vii-ix), the above chemical agents are authorized for use in response to a reactive or planned force event and do not require supervisor approval. The Grenades



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are only authorized in a planned force event with supervisor approval. These chemical agents are authorized in response to passive non-compliant (in a planned response use of force only), actively resistant, assaultive, or life-threatening resistance and to prevent self-harm or substantial self-harm.

In a planned force event, deputies shall consult with medical staff about whether the person has a medical condition that will be negatively impacted by using chemical agent. Deputies shall consider the possibility of unintended injury because of the application of the chemical agent (e.g., increased possibility of falling down the stairs due to disorientation).

If safe and feasible, deputies shall announce a warning to the person and other staff of the intent to use the chemical agent and give the person a reasonable opportunity to voluntarily comply. Staff shall make reasonable efforts to avoid exposing uninvolved persons to chemical agents during deployment. Deputies shall not continue the use chemical agents when repeated deployment appears ineffective in the situation. Deputies are required to follow the established decontamination process following deployment.

Chemical agents shall only be used by deputies that have been trained in their proper use. A California Peace Officer Standards and Training (POST) chemical agent course must be completed by the deputies charged with the deployment of chemical agents in crowd control situations outside the jail facility as required by AB 48.

d. Expected Lifespan:

- i. SABRE Red Stream (MK-9) – 5 years
- ii. SABRE Red PHANTOM Delivery System (MK-9) – 5 years
- iii. SABRE Red PHANTOM Delivery Cell Buster (MK-9) – 5 years
- iv. SABRE Red MK-46 High Volume Streamer – 5 years
- v. SABRE Red MK-46 High Volume Streamer Refill – 5 years
- vi. Defense Technology First Defense MK-46V – 5 years
- vii. Aerko International CLEAR OUT Grenade 6 oz Actuator – 5 years
- viii. Aerko International CLEAR OUT Grenade 6 oz Flip Top – 5 years
- ix. Aerko International CLEAR OUT Grenade 2 oz – 5 years
- x. Aerko International CLEAR OUT KEYHOLER – 5 years

e. Fiscal Impact:

- i. SABRE Red Stream (MK-9) – Annual cost between \$0 - \$1500
- ii. SABRE Red PHANTOM Delivery System (MK-9) – Annual cost between \$0 - \$5000
- iii. SABRE Red PHANTOM Delivery Cell Buster (MK-9) – Annual cost between \$0 - \$2100



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- iv. SABRE Red MK-46 High Volume Streamer* – Annual cost between \$0 - \$1,000
- v. SABRE Red MK-46 High Volume Streamer Refill – Annual cost between \$0 - \$600
- vi. Defense Technology First Defense MK-46V* – Annual cost between \$0 - \$1,000
- vii. Aerko International CLEAR OUT Grenade 6 oz Actuator – Annual cost between \$0 - \$1000
- viii. Aerko International CLEAR OUT Grenade 6 oz Flip Top – Annual cost between \$0 - \$1300
- ix. Aerko International CLEAR OUT Grenade 2 oz – Annual cost between \$0 - \$1200
- x. Aerko International CLEAR OUT KEYHOLER – Annual cost between \$0 - \$1300

**These delivery systems do not have expirations dates, but these will need to be serviced or replaced when an individual system fails or breaks*

2. PROJECTILE LAUNCH PLATFORMS & ASSOCIATED MUNITIONS (CATEGORY 14):

a. Quantity, Description, Capabilities, and Purchase Cost:

- i. FN 303 Launcher; Cost: \$1,699/unit; Quantity: 8**

The FN 303 is a less lethal force option that uses compressed air to fire projectiles from a 15-round magazine. The kinetic energy projectiles are designed to incapacitate a target without causing critical injuries and is most widely used for crowd control.
- ii. FN 303 PAVA/OC Powder Projectiles; Cost: \$1054/150 round box; Quantity: 21**

The PAVA/OC Powder Projectiles are less lethal ammunition designed for the FN 303 launcher. These .68 caliber, 8.5-gram projectiles utilize a fin-stabilized polystyrene body and a non-toxic bismuth forward payload to provide more accuracy and greater effective range than other less lethal systems. The primary effect of the projectile is trauma, which directly neutralizes the aggressor, and the secondary effect of the projectiles is chemical agent delivery to gain compliance of a subject.
- iii. FN 303 Clear Impact Projectiles; Cost: \$865/150 round box; Quantity: 3**

The Washable Paint Projectiles are less lethal ammunition designed for the FN 303 launcher. These .68 caliber, 8.5-gram projectiles utilize a fin-stabilized polystyrene body and a non-toxic bismuth forward payload to provide more accuracy and greater effective range than other less lethal systems. The primary effect of the projectile is trauma, which directly neutralizes the aggressor.
- iv. PepperBall VKS Launcher; Cost: \$1,299.99/unit; Quantity: 14**

The PepperBall VKS Launcher uses high pressure air to deliver projectiles (similar to a paint ball delivery system). The PepperBall VKS Launcher is capable of launching



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projectiles from a hopper or a 15-round magazine at a subject up to 150 feet away. The adjustable up to 28J kinetic impact projectiles are designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The use of the launcher to deliver chemical agents is intended and designed to be used to overcome resistance and/or to subdue persons with minimal injuries to deputies, inmates, and others.

- v. **PepperBall FTC Launcher**; Cost: \$679/unit; Quantity: 14
The PepperBall FTC Launcher uses high pressure air to deliver projectiles (similar to a paint ball delivery system). The PepperBall FTC Launcher is capable of launching projectiles from a hopper at a subject up to 100 feet away. The adjustable up to 15J kinetic impact projectiles are designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The use of the launcher to deliver chemical agents is intended and designed to be used to overcome resistance and/or to subdue persons with minimal injuries to deputies, inmates, and others.
- vi. **PepperBall Live-X Powder Projectiles**; Cost: \$1,320/375 round case; Quantity: 0
The Live-X Powder Projectiles are less lethal impact munitions designed for the PepperBall launcher. The PepperBall Live-X round contains 5.0% PAVA. It is effective for direct impact and area saturation. The primary effect of the projectile is trauma, which directly neutralizes the aggressor, and the secondary effect of the projectiles is chemical agent delivery to gain compliance of a subject.
- vii. **PepperBall Live Powder Projectiles**; Cost: \$1,252.50/375 round case; Quantity: 5
The Live Powder Projectiles are less lethal impact munitions designed for the Pepperball launcher. The PepperBall Live round contains 2.0% PAVA. It is effective for direct impact and area saturation. The primary effect of the projectile is trauma, which directly neutralizes the aggressor, and the secondary effect of the projectiles is chemical agent delivery to gain compliance of a subject.
- viii. **PepperBall Inert Powder Projectiles**; Cost: \$355/375 round case; Quantity: 42
The Inert Powder Projectiles are less lethal impact munitions designed for the Pepperball launcher. The PepperBall Inert round contains a harmless scented powder and is best suited for practice or direct impact when chemical exposure is not desired. When used for direct impact, the primary effect of the projectile is trauma, which directly neutralizes the aggressor.
- ix. **PepperBall Marking Projectiles**; Cost: \$300/375 round case; Quantity: 10
The Marking Projectiles are less lethal impact munitions designed for the Pepperball launcher. The PepperBall Marking round contains water or paint and is best suited for practice or direct impact when chemical exposure is not desired. When used for direct impact, the primary effect of the projectile is trauma, which directly neutralizes the



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aggressor, and the secondary effect of the projectiles is marking subjects for identification with a washable colorant.

- x. **Defense Technology 40mm Launcher;** Cost: \$985.70/unit; Quantity: 3
The Defense Technology LMT Tactical Single Launcher is not a firearm but a single-shot less lethal system that delivers 40mm munitions from a safe distance. The less-lethal launcher is a single launcher, which allows the deputy to assess after every spent munition. The kinetic energy projectiles are designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable.
- xi. **Defense Technology 40mm eXact iMPact Sponge Round;** Cost: \$29/unit; Quantity: 11
The Defense Technology 40mm eXact iMPact Sponge Round munition is designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. This munition has a maximum effective range of 131 feet and is designed for direct impact.
- xii. **Defense Technology 40mm Reloadable 24-Shot Training Kit;** Cost: \$315; Quantity: 2
Defense Technology 40mm Reloadable 24-Shot Training Kit includes 24-primed bases and 8-training projectiles providing a total of 24 training shots. This reloadable training kit allows deputies to practice loading, sighting, trigger pull, and range estimation.

b. **Purpose:**

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

c. **Authorized Use and Training:**

The above chemical agents are authorized for use in response to planned force event with supervisor approval. These delivery systems are only authorized in response to resistant, assaultive, or assaultive or life-threatening resistance; to prevent substantial self-harm; or when reasonably necessary for restoration or maintenance or order during dorm extraction/significant jail disturbance involving multiple persons as determined by the supervisor.

During use of these systems, staff shall observe stand-off distances applicable to the device and deploy the device using the effective range consistent with Sheriff's Office authorized training for the device. Unless deadly force is authorized, these devices shall not be directed at the person's head, neck, groin, or spine. Special consideration will be given when information indicates that the subject has a physical condition that could increase the effect of device. These devices shall not be used on a person who is known to be pregnant except when life-threatening situations exists, and other force options are not possible.



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In a planned force event, deputies shall consult with medical staff about whether the person has a medical condition that will be negatively impacted by using chemical agent. Deputies shall consider the possibility of unintended injury because of the application of the chemical agent (e.g., increased possibility of falling down the stairs due to disorientation).

If safe and feasible, deputies shall announce a warning to the person and other staff of the intent to use the chemical agent and give the person a reasonable opportunity to voluntarily comply. Deputies shall make reasonable efforts to avoid exposing uninvolved persons to chemical agents during deployment. Deputies shall not continue the use chemical agents when repeated deployment appears ineffective in the situation. Deputies are required to follow the established decontamination process following deployment.

d. Expected Lifespan:

- i. FN 303 Launcher* – No Expiration
- ii. FN 303 PAVA/OC Powder Projectiles – 3 years
- iii. FN 303 Clear Impact Projectiles – 3 years
- iv. PepperBall VKS Launcher* – No Expiration
- v. PepperBall FTC Launcher* – No Expiration
- vi. PepperBall Live-X Powder Projectiles – 3 years
- vii. PepperBall Live Powder Projectiles – 3 years
- viii. PepperBall Inert Powder Projectiles – 3 years
- ix. PepperBall Marking Projectiles – 3 years
- x. Defense Technology 40mm Launcher* – No Expiration
- xi. Defense Technology 40mm eXact iMPact Sponge Round – 5 years
- xii. Defense Technology 40mm 24-Shot Training Kit – 5 years

**These weapon systems do not have expirations dates, but these will need to be serviced or replaced when an individual launcher fails or breaks*

e. Fiscal Impact:

- i. FN 303 Launcher – Annual cost between \$0 - \$5,000
- ii. FN 303 PAVA/OC Powder Projectiles – Annual cost between \$0 - \$1100
- iii. FN 303 Clear Impact Projectiles – Annual cost between \$0 - \$2600
- iv. PepperBall VKS Launcher - Annual cost between \$0 - \$5,000
- v. PepperBall FTC Launcher - Annual cost between \$0 - \$5,000
- vi. PepperBall Live-X Powder Projectiles – Annual cost between \$0 - \$1500
- vii. PepperBall Live Powder Projectiles – Annual cost between \$0 - \$1500
- viii. PepperBall Inert Powder Projectiles – Annual cost between \$0 - \$1100
- ix. PepperBall Marking Projectiles – Annual cost between \$0 - \$500



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- x. Defense Technology 40mm Launcher – Annual cost between \$0 - \$5,000
- xi. Defense Technology 40mm eXact iMpact Sponge Round – Annual cost between \$0 - \$300
- xii. Defense Technology 40mm 24-Shot Training Kit – Annual cost between \$0 - \$700