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## Military Equipment

### 706.1 POLICY

It is the policy of the Santa Clara County Sheriff's Office to have legally enforceable safeguards, including transparency, oversight, and accountability, in place to protect the public's welfare, safety, civil rights, and civil liberties with respect to the funding, acquisition, and use of equipment defined by statute as military equipment. The acquisition of military equipment and its deployment in our communities may impact the public's safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment. Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input. The members of this office will comply with the provisions of Government Code § 7070, et. seq. with respect to military equipment.

### 706.2 PURPOSE AND SCOPE

The purpose of this policy is to provide rules for the approval, acquisition, use, and reporting requirements of military equipment, as outlined in Government Code § 7070, et. seq., in order to safeguard the public's welfare, safety, civil rights, and civil liberties.

### 706.3 DEFINITIONS

The definitions related to this policy are defined in Government Code § 7070.

**Governing body** – The elected or appointed body that oversees the Office, which is the County of Santa Clara Board of Supervisors [Government Code § 7070(a)].

**Law Enforcement Agency** – Among other entities encompassed, a Sheriff's Office [Government Code § 7070(b)(2)].

**Military equipment** – Defined military equipment includes, but not limited to, the following [Government Code § 7070(c)(1)-(15)]:

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this

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subdivision.

4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in § 30510 and §30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or state agency.
11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepperballs," excluding standard, service-issued handheld pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and Long Range Acoustic Devices (LRADs).
14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.

#### **706.4 MILITARY EQUIPMENT COORDINATOR**

The Sheriff shall designate a member of this office to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

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1. Acting as liaison to the governing body for matters related to the requirements of this policy.
2. Identifying equipment that qualifies as military equipment in the current possession of the Sheriff's Office, or the equipment the Sheriff's Office intends to acquire that requires approval by the governing body.
3. Conducting an inventory of all military equipment at least annually.
4. Collaborating with any allied agencies that may use military equipment within the jurisdiction of Santa Clara County Sheriff's Office (Government Code § 7071).
5. Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  - a. Publicizing the details of the meeting.
  - b. Preparing for public questions regarding the Sheriff's Office funding, acquisition, and use of equipment.
6. Preparing the annual military equipment report for submission to the governing body and ensuring that the report is made available on the Sheriff's Office website (Government Code § 7072).

#### **706.5 APPROVAL FOR FUNDING, ACQUISITION, AND USE**

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

1. Requesting military equipment made available pursuant to 10 U.S.C. § 2576a.
2. 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.
3. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
4. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this office.
5. Using any new or existing military equipment for a purpose, in a manner, or by a

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person not previously approved by the governing body.

6. 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.
7. Acquiring military equipment through any means not provided above.

Notwithstanding the above, the Sheriff's Office may acquire military equipment without first obtaining Board approval in the following situations:

1. In the event of an emergency, the Sheriff's Office may acquire additional stock of previously Board-approved military equipment without further Board approval only if the Sheriff determines that doing so is necessary to respond to the emergency.
2. If there is an unanticipated exhaustion or reduction in the stock of previously Board-approved ammunition, flash bangs, or chemical agents covered by this policy that would impair the Sheriff's Office's ability to maintain essential public safety functions or ensure the safety and security of the jails, the Sheriff's Office may acquire the minimum additional stock necessary to maintain these functions until Board approval can be obtained. This exception applies only to ammunition, flash bangs, or chemical agents, and does not permit the Sheriff's Office to acquire any other military equipment without prior Board approval.

### **706.6 MILITARY EQUIPMENT USE CONSIDERATIONS**

Military equipment shall only be used by a Sheriff's Office employee and only after the completion of any required training regarding use of the equipment identified in the appendices, including any course required by the Commission on Peace Officer Standards and Training (POST), unless exigent circumstances arise. The military equipment acquired and authorized by the Santa Clara County Sheriff's Office is:

1. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. Reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

Use of this military equipment is governed by the most current version of this Military Equipment Policy (General Order 706) implemented by the Sheriff's Office. The most current versions of the associated policies are available to the public on the Santa Clara County Sheriff's Office webpage (<https://countysheriff.sccgov.org/about-us/so-policies-procedures>).

### **706.7 MILITARY EQUIPMENT REPORTING**

Upon approval of a military equipment policy, the Sheriff or the authorized designee shall

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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].

1. The Sheriff's Office shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use.
2. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:
  - a. A summary of how the military equipment was used and the purpose of its use.
  - b. A summary of any complaints or concerns received concerning the military equipment.
  - c. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
  - d. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
  - e. The quantity possessed for each type of military equipment.
  - f. If the Sheriff's Office intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

### **706.8 COMMUNITY ENGAGEMENT**

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

### **706.9 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of the Sheriff's Office shall be approved for use and in accordance with this policy when used in conjunction with other jurisdictions.

**When Sheriff's Office Receives Mutual Aid:** When mutual aid assistance is provided in support of a Sheriff's Office incident, the Sheriff's Office shall retain full operational command and control over responding agency personnel and resources. The following guidelines will safeguard against military equipment being used during a Sheriff's Office

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incident in County jurisdiction that is outside the scope of approved use.

1. Assisting law enforcement agencies and any associated military equipment would be used under the guidelines of their respective agency policies, however, the deployment of these assets will be coordinated, directed, and managed through the Sheriff's Office Incident Commander.
2. The Incident Commander will make every attempt to ensure military equipment is deployed in a manner consistent with the Sheriff's Office policy and in a manner approved by the governing body through communication with assisting law enforcement liaison officers.

**When Sheriff's Office Provides Mutual Aid:** When the Sheriff's Office provides mutual aid assistance to another law enforcement agency, Sheriff's Office personnel and resources will be coordinated, directed, and managed through the Incident Commander for the agency of jurisdiction in conjunction with a Sheriff's Office liaison officer. The following guidelines will safeguard against prohibited uses of Sheriff's Office military equipment when providing mutual aid:

1. Sheriff's Office personnel shall adhere to Sheriff's Office policies on the use of military equipment and the other associated policies (Use of Force, etc.) at all times regardless of an outside request to do so.
2. Sheriff's Office personnel and military equipment shall not be used if the mutual aid request is in violation of Sheriff's Office policies.
3. A Sheriff's Office liaison officer will be assigned and remain with the allied agency's Incident Commander for the duration of the involvement by the Sheriff's Office.
4. The liaison officer will assist with the coordination of assets and maintain a level of oversight with respect to Sheriff's Office policies.

**Use of Military Equipment Not Possessed by the Sheriff's Office:** There may be instances where the Sheriff's Office may need the assistance of military equipment not currently possessed by the Sheriff's Office in order to limit safety risks to both the public and deputies in an emergency situation. Additionally, the assistance of certain equipment can help mitigate liability on behalf of the Sheriff's Office and County by minimizing or limiting potential force encounters. One such example is that the Sheriff's Office does not currently possess unmanned aerial vehicles (UAV). This particular military equipment is a benefit as it can assist in searching an area for a wanted or violent subject where the Sheriff's Office would otherwise have to deploy deputies and apprehension canines to search for a suspect and potentially escalating the situation into a force encounter. The following guidelines will safeguard against blatant misuse of military equipment not currently possessed by or authorized for use by the Sheriff's Office:

1. The Sheriff's Office will not employ the assistance of such equipment solely as a work around to avoid governing body approval but may do so as a resource

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- in seeking a quick resolution to a rapidly evolving emergency situation.
2. The request for assistance of such equipment shall be made through a field supervisor or watch commander.
  3. The nature and circumstances of the crime shall be taken into consideration prior to making any request to weigh the use of equipment not covered in this policy against public safety concerns.
  4. Sheriff's Office personnel shall not operate any military equipment not outlined in this policy and a liaison shall be assigned to the assisting agency in their deployment military equipment.
  5. In every instance, deployment of military equipment must comply with the legal and policy parameters described in this policy, including, but not limited to, the use of reasonable and proportional force, the use of de-escalation and alternatives to force where feasible, the limits on the less-lethal weapons in crowd control settings, and other requirements described in these policies and in compliance with legislation.

#### **706.10 INQUIRY AND COMPLAINT PROCESS**

Inquiries can be made the following ways:

1. In person at Sheriff's Office Headquarters or at any substation.
2. By telephone to the Sheriff's Office at (408) 808-4400.
3. By email at [militaryequipmentinquiries@shf.sccgov.org](mailto:militaryequipmentinquiries@shf.sccgov.org).
4. By mail to:

Santa Clara County Sheriff's Office  
Re: Military Equipment Coordinator  
55 W. Younger Ave  
San Jose, CA 95110

General questions or concerns will be routed to the Military Equipment Coordinator for response within 30 days. The Military Equipment Coordinator shall track all inquiries and responses, and incorporate summaries of any concerns received regarding military equipment into the Military Equipment Report.

A complaint or allegation of misconduct by any member of the Santa Clara County Sheriff's Office related to the use of military equipment can be made in the following ways:

1. In person at Sheriff's Office Headquarters or at any substation.

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2. By telephone to the Sheriff's Office Internal Affairs Unit at (408) 918-9000.
3. By mail to the Sheriff's Office Internal Affairs Unit at:

Santa Clara County Sheriff's Office  
Attn: Internal Affairs Unit  
2460 N. First Street, Suite 280  
San Jose, CA 95131

4. Via the online Internal Affairs Unit Complaint Form at:

<https://countysheriff.sccgov.org/internal-affairs-unit-complaint-form>

The Sheriff's Office will investigate any allegations of noncompliance with the Military Equipment Use Policy. The Military Equipment Coordinator shall track all complaints and incorporate summaries of any complaints regarding military equipment into the Military Equipment Report.

The Military Equipment Coordinator will conduct an annual audit to ensure the Military Equipment Use Policy is followed and the items listed in the Military Equipment Report are utilized within policy and in accordance with applicable laws. Any potential violation of policy or law will be investigated accordingly. The Military Equipment Coordinator will include the results of the annual audit in the Military Equipment Report.

The Military Equipment Use Coordinator will include information regarding any violations of this Policy and any actions taken in response to any such violations in the Military Equipment Use Report.

#### **706.11 MECHANISMS TO ENSURE COMPLIANCE**

The Sheriff's Office has the following internal and external mechanisms in place to ensure compliance with Departmental policy and the law:

1. In addition to the annual audit performed by the Military Equipment Use Coordinator, Division commanders will be tasked with auditing the use of military equipment by their staff to ensure compliance.
2. The Sheriff's Office has consistently had a means for the public to submit questions or complaints which are outlined in the inquiry and complaint process above. Allegations of misconduct are objectively investigated by the Internal Affairs Division and can potentially lead to employee discipline up to and including termination depending on the findings.
3. The Office of Correction and Law Enforcement Monitoring (OCLEM) may review reports and offer opinions.



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4. The Sheriff's Office will submit findings in its annual report to the Board of Supervisors.
5. Current legislation (SB2) establishes a process for the California Peace Officers Standards and Training (POST) to decertify peace officers found culpable of serious misconduct including, but not limited to, physical abuse and/or excessive force.

#### **706.12 MILITARY EQUIPMENT INVENTORY**

The following is the current qualifying list of equipment utilized by the Sheriff's Office. The Office does not currently possess controlled or prohibited equipment acquired from the United States military. Instead, the Office's current inventory consists of commercially available equipment or military equipment modified for law enforcement uses. Please refer to the attached lists:

- Appendix A – Military Equipment List (Enforcement Bureau)
- Appendix B – Military Equipment List (Custody Bureau)
- Appendix C – Military Equipment List (Stanford University)

#### **706.13 POLICY REVIEW**

This policy shall be reviewed and updated as necessary.

#### **706.14 POLICY TRACKING**

<b>Date of Origin:</b>	8/30/2022
<b>Review Date:</b>	7/13/2023
<b>Revision Date:</b>	7/13/2023
<b>Date Approved:</b>	TBD
<b>Effective Date:</b>	TBD
<b>Distribution:</b>	Unrestricted
<b>Supersedes:</b>	New

\_\_\_\_\_  
Sheriff Robert Jonsen

\_\_\_\_\_  
Date



# Appendix A

## Santa Clara County Sheriff's Office Enforcement Bureau Military Equipment List

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The following list contains the inventory of equipment in the possession of the Santa Clara County Sheriff's Office Enforcement Bureau as of March 31, 2024, 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 requirements for existing equipment change.

### 1. BOMB DISPOSAL ROBOTS (CATEGORY 1):

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

- i. **Remotec Andros Mark VI F6B (1997);** Cost: \$131,400; Quantity: 1.  
The Remotec Andros Mark VI F6B is a remote operated medium-large sized bomb disposal robot with a manipulator capable of confronting improvised explosive devices (IED), vehicle borne improvised explosive devices (VBIED), and large vehicle borne improvised explosive devices (LVBIED).
- ii. **Remotec Mini-Andros II (2004);** Cost: \$151,790; Quantity: 1.  
The Remotec Mini-Andros II is a remote operated medium sized bomb disposal robot with a manipulator capable of confronting improvised explosive devices (IED).
- iii. **Qinetiq Dragon Runner 20 (2012);** Cost: \$30,000; Quantity: 1.  
The Qinetiq Dragon Runner 20 is a remote operated short-range, small bomb disposal robot with a manipulator capable of confronting improvised explosive devices (IED).
- iv. **Remotec Spartan (2023);** Cost: \$465,000; Quantity: 1.  
The Remotec Spartan is a remote operated medium-large sized bomb disposal robot with a manipulator capable of confronting improvised explosive devices (IED), vehicle borne improvised explosive devices (VBIED) and large vehicle borne improvised explosive devices (LVBIED).
- v. **ICOR Technology Mini-Caliber (2024);** Cost: \$63,000; Quantity: 1.  
The ICOR Technology Mini-Caliber robot is a remote operated small bomb disposal robot with a manipulator capable of confronting improvised explosive devices (IED). This particular robot is appealing because it is lightweight, portable and capable of being operated by one Deputy in emergency situations that require rapid deployment.



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b. **Purpose:**

The Sheriff's Office Bomb Squad utilizes bomb disposal robots to complete tasks in environments hazardous to human life. Generally, items believed to contain explosive devices, explosive materials, hazardous materials or anything thought to be dangerous are confronted with bomb disposal robots as they are operated remotely and greatly enhance the safety of citizens and law enforcement officers. A supplemental use of the bomb disposal robots is to deploy them in critical incidents and/or diffuse potentially deadly situations.

c. **Authorized Use and Training:**

i. **Authorized Uses**

The use of the bomb disposal robots shall be limited to Sheriff's Bomb Squad members and shall only be deployed to support emergency and tactical response functions of the Sheriff's Office in the following approved uses:

1. Evaluate, mitigate, and/or render safe vehicle and large vehicle borne improvised explosive devices (VBIED and LVBIED);
2. Evaluate, mitigate, and/or render safe any suspicious packages, bombs, or improvised explosive devices (IED);
3. Evaluate, mitigate, and/or render safe any homemade explosives (HME), explosive mixture or compound;
4. Enter, observe, or mitigate dangerous situations where the environment is unsafe due to chemical, biological, or other hazardous circumstances or hazardous materials release;
5. Observe and/or locate suspects/terrorists reported or reasonably suspected to be donning a suicide bomber vest or other explosive materials.
6. Assist with search-and-rescue operations;
7. Gather intelligence and/or communicating with a barricaded suspect or during a hostage situation;
8. Aid in the execution of a high-risk search warrant;
9. Gather intelligence in fortified locations for a specific criminal investigation or during a specific rescue operation;
10. Locate and/or gather intelligence related to a specific suspect in hiding;
11. Respond to violent critical incidents, including, but not limited to, an active shooter scenario or event involving a high potential for confrontation of armed suspects;



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12. Assist the Crisis Negotiations Team (CNT) with establishing and maintaining communication between a Crisis Negotiator and a victim, suspect, or other involved party;
13. Gather intelligence for Crisis Negotiators and Incident Command relating to a specific incident and/or a specific investigation; and
14. Assist with other law-enforcement and first-responder critical incidents involving a serious threat to life or safety.

ii. **Prohibited Uses**

The bomb disposal robots are shall not be used:

1. To harass, intimidate, or discriminate against any individual or group.
2. To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
3. To be integrated with biometric or facial recognition technology.
4. To be weaponized in any form.
5. For any reasons other than the Sheriff's and County business purposes identified in the authorized uses section of this policy.

iii. **Training**

Initial training on these bomb disposal robots is typically provided by the vendor at the time of purchase. Recurrent job training in the operations and use of the bomb disposal robots will take place at regular Bomb Squad training days and in joint trainings with other local bomb teams.

d. **Expected Lifespan:**

The lifespan of a particular bomb disposal robot depends on a number of factors including, but not limited to, frequency of use, proper maintenance, technological advances, manufacturer support and availability of replacement parts. The typical lifespan is 10-15 years. Staff have been able to maintain this equipment and all of the bomb disposal robots currently remain operational, but the oldest robots should be replaced in the near future to ensure that the intended use and public safety protections that this technology provides remain available. bomb disposal robots, in general, will be a necessary requirement indefinitely as they are required safety equipment for bomb squads and part of FEMA national typing of bomb squads under NIMS/SIMS.



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e. **Fiscal Impact:**

There are no recurring annual costs associated to the operation of the bomb disposal robots, however, a bomb disposal robot occasionally experiences damage requiring repairs outside of the ability of staff and specialized repair costs are incurred.

2. **TACTICAL RECONNAISSANCE ROBOTS (CATEGORY 1):**

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

i. **Recon Robotics Throwbot 2 (2024); Cost: \$51,000; Quantity: 3.**

The Recon Robotics Throwbot 2 is a handheld robot that can be thrown into hazardous situations to provide Sheriff's Emergency Response Team (SERT) operators to quickly make informed decisions in dynamic, rapidly evolving incidents. This micro-robot is designed to be able to crawl over a variety of terrain, clearing obstacles up to 2" tall. The robot can be directed to move through a structure and transmit real time video and audio to the operator.

b. **Purpose:**

SERT members would utilize tactical reconnaissance robots to gather vital situational intelligence in areas that pose a danger to human life or would force a violent confrontation before other de-escalation measures are exhausted. The ability to remotely search areas around and inside of a structure will provide valuable information to SERT personnel who will ultimately have to physically search the area during tactical operations. Tactical reconnaissance robots provide the ability to identify threats remotely, which will greatly enhance the safety of both the public and law enforcement officers.

c. **Authorized Use and Training:**

i. **Authorized Uses**

The use of the tactical reconnaissance robots shall be limited to SERT members and shall only be deployed to support emergency and tactical response functions of the Sheriff's Office in the following approved uses:

1. Locate, observe, and/or gather intelligence regarding suspects reported or reasonably suspected to be barricaded;
2. Locate, observe, and/or gather intelligence regarding a hostage situation;
3. Aid in the execution of a high-risk search warrant;



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4. Gather intelligence in fortified locations for a specific criminal investigation or during a specific rescue operation;
5. Locate and/or gather intelligence related to a specific suspect in hiding or attempting to evade arrest;
6. Respond to violent critical incidents including, but not limited to, an active shooter scenario or event involving a high potential for the confrontation of armed suspects;
7. Gather intelligence for Crisis Negotiators and Incident Command relating to a specific incident and/or a specific investigation involving actual or threatened violence;
8. Assist with other law enforcement and first responder critical incidents involving a serious threat to life or safety; and
9. Assist with search and rescue operations.

ii. **Prohibited Uses**

The tactical reconnaissance robots are shall not be used:

1. To harass, intimidate, or discriminate against any individual or group.
2. To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
3. To be integrated with biometric or facial recognition technology.
4. To be weaponized in any form.
5. For any reasons other than the Sheriff's and County business purposes identified in the authorized uses section of this policy.

iii. **Training**

Initial training on these tactical reconnaissance robots is typically provided by the vendor at the time of purchase. Recurrent job training in the operations and use of the tactical reconnaissance robots will take place at regular SERT training days.

d. **Expected Lifespan:**

The lifespan of a tactical reconnaissance robot depends on a number of factors including, but not limited to, frequency of use, proper maintenance, technological advances, manufacturer support and availability of replacement parts. The typical lifespan is 2-6 years.

e. **Fiscal Impact:**



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There are no recurring annual costs associated to the operation of the tactical reconnaissance robots.

### 3. UNMANNED AERIAL SYSTEMS (CATEGORY 1):

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

- i. **Skydio X10 (Requested Acquisition for 2024);** Cost: \$137,000; Quantity: 8  
The Skydio X10 is designed for use in a variety of industries, including public safety. This UAS will be used to help gather intelligence from an aerial perspective and push that information out to units on the ground to assist in critical incidents, accident and crime scene reconstruction, natural disaster response, rural and urban search & rescue missions, and tactical operations.
- ii. **Brinc Lemur 2 (Requested Acquisition for 2024);** Cost: \$29,999; Quantity: 2  
The Brinc Lemur 2 is a battery-powered, remote-operated drone designed for indoor use by public safety agencies. It's intended to help first responders de-escalate dangerous situations, improve safety, and assist in search and rescue missions.

#### b. Purpose:

The purpose of the small Unmanned Aerial Systems (UAS – commonly referred to as “drones” or “unmanned aircraft systems”) is to provide a Deputy Sheriff with the ability to make observations from an overhead, aerial position and provide vital updates to assisting first responders in a variety of crucial public safety missions. UAS may collect and store still images, video footage, audio, and location data and be used consistent with the uses authorized by this Policy.

#### c. Authorized Use and Training:

##### i. Authorized Uses

It shall be permissible to use UAS for:

1. Public safety and life preservation missions including active shooters, mass casualty incidents, hostage rescue operations, barricaded subject operations, apprehension of armed and dangerous fleeing suspects, and high-risk warrant services when its use would improve the likelihood that an incident would be resolved without the use of deadly force or other force options as determined by the authorizing person.



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2. Natural disaster response and management.
3. Missing or lost persons location missions.
4. Search and Rescue (SAR) missions.
5. Crime scene/traffic collision documentation.
6. Explosive device or hazardous materials mitigation.
7. Citizen or law enforcement rescue operations.
8. Terrorism response operations.
9. To provide warnings to cease and desist operations or identify a person who is operating a UAS in a manner which impedes emergency personnel who, in the course of their duties, are coping with an emergency [Penal Code 402(a)(1)].
10. Pursuant to a search warrant.
11. Perimeter security of the County Jails to prevent and/or assist with the investigation of escape attempts or contraband being thrown into the facilities from the outside.
12. High-risk security operations and dignitary protection details.
13. Monitoring protests and demonstrations for brief periods of time to assess if any crimes have been committed to maintain a balance of constitutional rights with preservation of life and property interests only after concerns or complaints have been reported to the Sheriff's Office. This provision provides the Sheriff's Office the ability to uphold duties and obligations of public safety without requiring the immediate presence of uniformed personnel at the scene, which can have an aggravating or escalating effect on an otherwise peaceful and lawful gathering.<sup>1</sup>
14. Reconnaissance for high-risk or tactical operations that does not infringe upon the reasonable expectation of privacy.
15. 3D mapping of critical infrastructures or locations used for large scale public events.

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<sup>1</sup> This authorized use is specifically intended to minimize the perception that the Sheriff's Office discourages or interferes with First Amendment protections of speech and assembly. The Sheriff's Office strives to find innovative and progressive ways to balance upholding the Constitutional Rights of our citizens and also protecting our citizens' life and property interests without necessarily dedicating a uniformed presence unless the need arises. In furtherance of this progressive policy to uphold First Amendment protections, it shall not be permissible for UAS operators to use the footage gathered to identify protestors except in a specific criminal investigation.





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16. Training missions to meet Federal Aviation Administration (FAA) and departmental regulations and certification standards.
17. Evidence collection where other means are unavailable and the UAS operation that does not infringe upon the reasonable expectation of privacy.
18. To take departmental images and videos for public safety advisements or recruitment media.
19. Mutual Aid support.<sup>2</sup>

#### ii. **Prohibited Uses**

The UAS shall not be used:

1. Shall not be used to harass, intimidate, or discriminate against any individual or group.
2. Shall not target a person based solely on an individual characteristic, such as race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
3. Shall not carry weaponry or be used as a weapon in any form.
4. Shall not be used for any reasons other than the Sheriff's and County business purposes identified in the authorized uses section of this Policy.<sup>3</sup>
5. Shall not be integrated with facial recognition or biometrics technology.
6. Shall not be used to gather footage to identify those attending or participating in a protest or demonstration except in a specific criminal investigation for which the identification of the individual(s) is reasonably believed to be necessary for that specific criminal investigation.

#### iii. **Training**

Initial training on specific UAS models is typically negotiated as part of the contract and provided by the vendor at the time of purchase. The guidelines surrounding certifications and recurrent training for the use and operation of UAS are as follows:

1. All departmental UAS will be operated only by personnel who have been trained

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<sup>2</sup> Sheriff's Office personnel will operate the UAS consistent with this use policy.

<sup>3</sup> County business purposes include Mutual Aid.



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in the operation of the system, maintain FAA certification, possess a current FAA Part 107 certificate with a UAS rating.

2. All agency personnel with UAS responsibilities will be provided training in the regulations governing UAS use.
3. Operators shall be required to attend regular departmental training to maintain a level of proficiency.
4. Recurrent training is not limited to actual piloting skills but includes knowledge of all pertinent UAS/aviation matters.
5. All operators shall participate in documented monthly training to maintain individual and team core competencies as determined by the type of missions and operations performed. These recurrent trainings shall be documented in both a training report and a training flight log. The training report should include a roster of participants, topics covered, and lessons learned in UAS.

d. **Expected Lifespan:**

The lifespan of a particular UAS depends on a number of factors including, but not limited to, frequency of use, proper maintenance, technological advances, manufacturer support and availability of replacement parts. The typical lifespan is 2-6 years.

e. **Fiscal Impact:**

There are no recurring annual costs associated to the operation of the UAS, however, a UAS occasionally is destroyed, experiences damage requiring repairs outside of the ability of staff, and/or specialized repair costs are incurred.

4. **ARMORED PERSONNEL CARRIERS (CATEGORY 2):**

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

i. **Lenco Bearcat G3 (2009); Cost: \$310,000; Quantity: 1.**

The Lenco BearCat is an armored transport vehicle with an open floorplan that allows for the rescue of citizens and law enforcement officers and/or provide protection to perform life saving measures during active critical incidents. The BearCat is designed to withstand a variety of projectiles and provides greater safety to law enforcement officers than the protection level of ballistic shields and personal body armor during critical incidents or dangerous planned operations. This BearCat is specifically designed and outfitted to operate in rural settings. It is equipped with emergency lights, siren, and a



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public address system. The BearCat is a regional mutual aid asset specifically awarded to benefit south Santa Clara County.

- ii. **Chevrolet Suburban 4WD 2500 (1998)**; Cost: \$109,361; Quantity 1.  
The Chevrolet Suburban is an armored sport utility vehicle with a large cargo area behind the rear passenger bench that allows for the transportation of equipment and/or the extraction of severely injured citizens and law enforcement officers from active critical incidents. The Chevrolet Suburban is outfitted with armor to stop a variety of projectiles and provides greater safety to law enforcement officers than the protection level of ballistic shields and personal body armor during critical incidents or dangerous planned operations.
- iii. **Armored GMC Yukon, Chevrolet Suburban, or Ford F350 (Requested Acquisition in 2024)**; Cost: \$250,000; Quantity: 1.  
The Sheriff's Office is requesting approval to replace the 26-year-old armored Chevrolet Suburban because it continues to experience some mechanical and maintenance issues. On critical incidents where there is a substantial threat of violence, the vehicle provides the ballistic protection necessary to afford Sheriff's Office staff time to leverage all resources available in an effort to gain voluntary compliance and resolve an incident using the least force possible. This unmarked armored vehicle model is subject to manufacturer availability. The resource is still vitally necessary in affording Sheriff's Office staff the ability to work through critical incidents and leverage all resources in hopes of resolving the incident peacefully. It is the position of the Sheriff's Office that this piece of equipment is reasonably cost effective and there are no other reasonable alternatives to this equipment.
- iv. **Lenco BearCat G3 (Requested Acquisition in 2024)**; Cost: \$450,000; Quantity: 1.  
While the use of ARVs is judicious, the Sheriff's Office also has implemented safeguards in policy to ensure our standards for use. With that said, there have been a number of critical incidents where the Sheriff's Office has also needed the assistance of ARVs from neighboring law enforcement agencies due to tactical considerations. While we are grateful for the strong partnerships we enjoy with our local law enforcement partners, the Sheriff's Office loses some level of control over assets when they are not controlled by our personnel. In order to be more self-sufficient, the Sheriff's Office is requesting approval for one additional Lenco BearCat G3. By authorizing this equipment, our communities can enjoy the security of knowing the Sheriff's Office can safely respond to critical incidents with the military equipment being operated by our staff under the guidance of our policy. It is the position of the Sheriff's Office that this piece of equipment is reasonably cost effective and there are no other reasonable alternatives to this equipment.



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b. **Purpose:**

To be used in response to critical incidents or dangerous planned operations to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.

c. **Authorized Use and Training:**

i. **Authorized Uses**

The ARV shall only be deployed to support emergency, rescue, and tactical response functions of the Sheriff's Office in the following approved uses:

1. In preservation of life responses where the use of the ARV would:
  - A. Enhance the tactical advantage of deputies in violent encounters.
  - B. Aid in the rescue of injured persons.
  - C. Protect life and property.
  - D. Improve the likelihood that an incident would be resolved without the use of deadly force or other force options.
2. Deployment of an ARV(s) should be considered in the following circumstances:
  - A. During incidents involving violent felonies.
  - B. Responding to persons with a history of extreme violence involving firearms, explosives, or other dangerous weapons.
3. When information is present that the suspect has used, intends to use or is likely to use extreme violence against citizens or law enforcement personnel.

ii. **Prohibited Uses**

The ARV shall not be used in the following situations:

1. In the public for community engagement events, unless specifically authorized by the Sheriff.
2. Deployed in incidents that do not involve actual, threatened, or suspected violence or investigations of misdemeanor crimes, unless the crime involves a weapon.



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3. Front line in crowd control situations or during times of civil unrest, protest or demonstrations unless clear articulable facts dictate the need to deploy the ARV (shots fired, suspected violence involving firearms, actual or suspected presence of explosives, etc.) with expressed consent from the Incident Commander with concurrence from the SERT Commander or his/her designee.

#### iii. **Training**

The following outlines training requirements for ARV use:

1. Deputies are to be trained in the operation of the ARV prior to use. Training requirements will be set by the Special Enforcement Captain and the Training and Professional Development Captain in cooperation with the Emergency Vehicle Operations (EVO) Training Manager. Training will include knowledge of this policy, rules of the road and basic knowledge of electronic/mechanical functions on the vehicle. The training will also include a driving exercise. SERT personnel will receive advanced training and are expected to maintain a higher level of operational knowledge and expertise.
2. Only Santa Clara County Sheriff's personnel who have completed training and possess a County Driving Permit will be authorized to drive/operate the ARV, unless a delayed deployment of an ARV would result in serious bodily injury or death.

#### d. **Expected Lifespan:**

- i. Lenco BearCat: 25 years.
- ii. Chevrolet Suburban: Per FAF, vehicle is past due for replacement.
- iii. New Lenco BearCat: 25 years.
- iv. Armored GMC Yukon, Chevrolet Suburban, or Ford F350: 15-20 years

#### e. **Fiscal Impact:**

- i. Lenco BearCat: annual maintenance cost is approximately \$1,000.
- ii. Chevrolet Suburban: annual maintenance cost is approximately \$4,050.
- iii. Lenco BearCat: initial purchase price is approximately \$450,000 and annual maintenance cost is approximately \$1,000.
- iv. Armored GMC Yukon, Chevrolet Suburban, or Ford F350: initial purchase price is approximately \$250,000 and annual maintenance cost is approximately \$1,000.



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#### 4. TRACKED ARMORED VEHICLES (CATEGORY 4):

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

##### i. **The Rook Armored Critical Incident Vehicle by Ring Power (Requested Acquisition in 2024); Cost: \$450,000; Quantity: 1.**

The Sheriff's Office is requesting approval to proceed with the procurement of a Rook by Ring Power. The Rook is a custom armored critical incident vehicle (ACIV) built on a Caterpillar (CAT®) compact track loader chassis. The ACIV resembles a mini tractor with extendable arms in the front several attachment options. The purpose of the ACIV is to provide ballistic protection for community members and deputies alike during high-risk critical incidents and operations. The ACIV is not a tank and is not weaponized. Additionally, the ACIV's tracked system allows for use in tight spaces and soft ground. It is the position of the Sheriff's Office that this piece of equipment is reasonably cost effective and there are no other reasonable alternatives to this equipment.

##### b. Purpose:

The ACIV is designed to be used in response to critical incidents or dangerous planned operations to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.

##### c. Authorized Use and Training:

##### i. Authorized Uses

The ACIV shall only be deployed by SERT personnel in the following approved uses:

1. During incidents involving violent felonies with the use or threatened use of firearms, explosives, or other dangerous weapons.
2. Responding to persons with a history of violence involving firearms, explosives, or other dangerous weapons.
3. When information is present that the suspect has used, intends to use or is likely to use violence against members of the public or law enforcement personnel.
4. The ACIV may be used to breach a structure, deploy chemical agents or insert personnel from a position of safety, conduct the rescue of a hostage to prevent loss of life or serious bodily injury, or effect the arrest of a violent, armed suspect(s).



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5. The ACIV may be deployed during natural disasters, rescue, or emergency operations that necessitate the deployment of the ACIV's equipment and capabilities.
6. In certain rescue operations, such as an Active Shooter or Criminal Mass Casualty Incident, the ACIV may be used to deploy Fire and/or EMS resources into potential Warm Zones as a Rescue Task Force. The integration of Fire and/or EMS into a Rescue Task Force is strictly meant to expedite life-saving efforts. The use of the ACIV under these circumstances is to provide protection and a safer environment for the Rescue Task Force personnel as well as for victims requiring evacuation or treatment. The Rescue Task Force will be deployed in compliance with the Santa Clara County Active Shooter Protocol.

#### ii. **Prohibited Uses**

The ACIV shall not be used in the following situations:

1. Community engagement events.
2. Incidents that do not involve actual or threatened violence involving firearms, explosives, or other dangerous weapons.
3. Front line in crowd management situations or during times of civil unrest, protest or demonstrations unless clear articulable facts dictate the need to deploy the ACIV (shots fired, suspected violence involving firearms, actual or suspected presence of explosives, etc.) with express consent from the Special Enforcement Captain or his/her designee.

#### iii. **Training**

The following outlines training requirements for ACIV use:

1. Deputies are to be trained in the operation of the ACIV prior to use. Training requirements will be set by the SERT Tactical Commander and the Special Enforcement Captain. Training will include knowledge of this policy, rules of the road and basic knowledge of electronic/mechanical functions on the vehicle. The training will also include a driving exercise. SERT members will receive advanced training and are expected to maintain a higher level of operational knowledge and expertise.



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2. Only SERT personnel who have completed training and possess a County Driving Permit will be authorized to drive/operate the ACIV, unless a delayed deployment of an ACIV would result in serious bodily injury or death.

d. **Expected Lifespan:**

- i. The Rook Armored Critical Incident Vehicle by Ring Power: 25 years.

e. **Fiscal Impact:**

- i. The Rook Armored Critical Incident Vehicle by Ring Power: initial purchase price is approximately \$450,000 and annual maintenance cost is approximately \$1,000. The Sheriff's Office has been awarded \$450,000 in funding for this purchase through the Urban Area Security Initiative (UASI) Grant Funding for Fiscal Year 2024.

5. **COMMAND & CONTROL VEHICLES (CATEGORY 5):**

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

- i. **SERT Tactical Command Post (2006);** Cost: \$228,482; Quantity: 1.  
The Sheriff's Emergency Response Team's (SERT) Tactical Command Post (TCP) serves as a mobile command and control center for tactical operations to include tactical radio operations. TCP also serves as a tactical equipment storage and transportation vehicle for SERT personnel.
- ii. **Mobile Command Post (*In Procurement Process*);** Cost: \$450,000; Quantity: 1.  
The Mobile Command Post will be primarily used as a mobile office and shelter during prolonged critical incidents to aid in the command, control, and deployment of personnel. Should this vehicle be approved, it would be outfitted with equipment including, but not limited to, a communications (radio) console and accessories, a large monitor to display live incident updates and tactical considerations, a boom camera for operational security, a conference table, several workstations, chairs, and storage space. *This Mobile Command Post will be purchased using State Homeland Security Grant Program funds.*

b. **Purpose:**

The SERT Tactical Command Post is generally utilized for SERT/Crisis Negotiation operations and the proposed Mobile Command Post would be primarily used as a mobile office for law enforcement ran major critical incidents, however, they can be deployed to assist in other significant incidents such as fires, natural disasters, and mutual aid requests as needed.





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c. **Authorized Use and Training:**

i. **Authorized Uses**

Sheriff's Office Command Posts are authorized for use in the following situations:

1. Public safety and life preservation missions to manage personnel response and communications including:
  - A. Active shooters.
  - B. Mass casualty incidents.
  - C. Hostage rescue operations.
  - D. Barricaded subject operations.
  - E. Apprehension of armed and dangerous fleeing suspects.
  - F. High-risk warrant services.
  - G. Any critical incident where SERT has been deployed to improve the likelihood that an incident would be resolved without the use of deadly force or other force options as determined by the authorizing person.
2. Citizen or law enforcement rescue operations.
3. Terrorism response operations.
4. Natural disaster response and management.
5. Mutual Aid support if the request conforms with the authorized uses in this section.

ii. **Prohibited Uses**

The Command Post(s) shall not be used for any reasons other than the Sheriff's and County business purposes identified in the authorized uses section of this policy.

iii. **Training**

The Command Post(s) shall be used by deputies trained in its deployment and in a manner consistent with Department policy and training. The driver of the vehicle shall have a valid California Driver License and County Driver Permit.

d. **Expected Lifespan:**

- i. SERT Tactical Command Post: 25 years.
- ii. Mobile Command Post: 25 years.



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e. **Fiscal Impact:**

- i. SERT Tactical Command Post: annual maintenance cost is about \$1,500.
- ii. Mobile Command Post: annual maintenance cost would be about \$1,500.

5. **SPECIALIZED FIREARMS & AMMUNITION (CATEGORY 10):**

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

- i. **Colt AR-15 (.223)**; Cost: \$1,700/rifle; Quantity: 255  
The Colt AR-15 carbine rifle is a specialized firearm carried by deputies in field assignments and members of special teams to enhance the safety of citizens and law enforcement. Carbine rifles are lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapons designed for semi-automatic and selective fire. The .223 cartridge is used as a lethal option designed to stop a violent encounter with greater accuracy from longer distances and is capable of penetrating soft body armor.
- ii. **Colt 11.5" Carbine LE6943 (.223)**; Cost: \$1,935/rifle; Quantity: 23  
The Colt LE6943 carbine rifle is a specialized firearm carried exclusively by SERT members in tactical operations involving a heightened threat of violence and/or known weapons. These carbine rifles are also lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapons designed for semi-automatic & selective fire. The .223 cartridge is used as a lethal option designed to stop a violent encounter with greater accuracy from longer distances and is capable of penetrating soft body armor.
- iii. **Accuracy International Bolt Action Rifle (.338)**; Cost: \$12,000/rifle; Quantity: 2  
The Accuracy International Bolt Action Rifle is a specialized firearm chambered for .338 ammunition. These rifles are carried exclusively by the SERT sniper team and are designed for precision shooting and expert marksmanship from long distances during tactical operations.
- iv. **Accuracy International Bolt Action Rifle (.308)**; Cost: \$9,000/rifle; Quantity: 6  
The Accuracy International Bolt Action Rifle is a specialized firearm chambered for .308 ammunition. These rifles are carried exclusively by the SERT sniper team and are designed for precision shooting and expert marksmanship from long distances during tactical operations.
- v. **Mossberg 590A1 Breaching Shotgun**; Cost: \$1,000/shotgun; Quantity: 2  
The Mossberg 590A1 is the agency's standard issued shotgun that has been modified specifically to be used as a breaching shotgun carried solely by SERT personnel. The



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purpose of this tool is to defeat metal doors, heavy locks, hinges, and dead-bolts in situations where immediate entry into a structure or dwelling is necessary.

- vi. **Mossberg 590A1 Chemical Munitions Shotgun**; Cost: \$1,000/shotgun; Quantity: 4  
The Mossberg 590A1 is the agency's standard issued shotgun that has been modified specifically to be used to deploy chemical munitions from a safe distance and is carried solely by SERT personnel. The purpose of this tool is to deny a designated area to gain compliance of or disorient a suspect during a tactical operation.
- vii. **Speer .223 62-Grain Gold Dot**; Cost: \$250/500 round case; Quantity: 122,000 rounds  
The Speer .223 62-Grain Gold Dot cartridge is the duty ammunition deployed during potential lethal encounters.
- viii. **PMC .223 55-Grain FMJ-BT**; Cost: \$356/1000 round case; Quantity: 120,000 rounds  
The PMC .223 55-Grain cartridge is the practice ammunition used for the carbine rifles.
- ix. **Federal American Eagle .223 62-Grain FMJ-BT**; Cost: \$440/400 round case; Quantity: 125,000 rounds  
The Federal American Eagle .223 62-grain FMJ-BT cartridge is the duty ammunition used for carbine rifles.
- x. **Hornady 308 Win 155-Grain ELD Match**; Cost: \$340/200 round case; Quantity: 1,200 rounds  
The Hornady 308 Win 155-Grain ELD Match cartridge is the current duty ammunition used with the .308 bolt action rifles in potential lethal encounters during tactical operations. This ammunition is capable of penetrating soft body armor worn by armed suspects.
- xi. **Federal 308 Win 168-Grain Match King**; Cost: \$399/500 round case; Quantity: 20 rounds  
The Federal 308 Win 168-Grain Match King cartridge was the former duty ammunition used with the .308 bolt action rifles. The remaining stock is left over from when the sniper team transitioned to the Hornady cartridge and is used as training ammunition.
- xii. **Federal 308 Win 168-Grain Bonded Tip**; Cost: \$269/200 round case; Quantity: 2,400 rounds  
The Federal 308 Win 168-Grain bonded tip cartridge is a specialty ammunition used with the .308 bolt action rifles in potential lethal encounters during tactical operations. This ammunition is specifically designed to defeat barriers with minimal deflection.



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- xiii. **SWISS P Styx Action .338 Lapua 247-Grain**; Cost: \$95/20 round box; Quantity: 600 rounds  
The SWISS P Styx Action .338 Lapua 247-Grain cartridge is a specialty ammunition used with the .338 bolt action rifles specifically designed for sniper elements requiring precision accuracy and marksmanship at long ranges during tactical operations.
- xiv. **SWISS P Armor Piercing .338 Lapua 260-Grain**; Cost: \$95/20 round box; Quantity: 600 rounds  
The SWISS P Armor Piercing .338 Lapua 260-Grain cartridge is a specialty ammunition used with the .338 bolt action rifles specifically designed for sniper elements requiring precision accuracy and marksmanship at long ranges. The purpose of this ammunition is to defeat armor or disable vehicles with minimal deflection during tactical operations.
- xv. **Royal Arms International Tesar #1 275-Grain**; Cost: \$30/5 round box; Quantity: 155 rounds  
The Royal Arms International Tesar #1 275-Grain breaching shotgun cartridge is a specialty ammunition used with the Mossberg 590A1 breaching shotgun during tactical operations. The purpose of this ammunition is to defeat metal doors, heavy locks, hinges, and dead bolts.
- xvi. **Royal Arms International Tesar #2 425-Grain**; Cost: \$30/5 round box; Quantity: 215 rounds  
The Royal Arms International Tesar #2 425-Grain breaching shotgun cartridge is a specialty ammunition used with the Mossberg 590A1 breaching shotgun during tactical operations. The purpose of this ammunition is to defeat metal doors, heavy locks, hinges, and dead bolts.
- xvii. **Royal Arms International Tesar #4 750-Grain**; Cost: \$30/5 round box; Quantity: 0 rounds  
The Royal Arms International Tesar #4 750-Grain breaching shotgun cartridge is a specialty ammunition used with the Mossberg 590A1 breaching shotgun during tactical operations. The purpose of this ammunition is to defeat metal doors, heavy locks, hinges, and dead bolts. The Sheriff's Office typically keeps this ammunition in inventory, but does not currently have any available for field use.
- xviii. **Royal Arms International Hollow Point Rebar Cutter 450-Grain**; Cost: \$30/5 round box; Quantity: 0 rounds  
The Royal Arms International Hollow Point Rebar Cutter 450-Grain breaching shotgun cartridge is a specialty ammunition used with the Mossberg 590A1 breaching shotgun during tactical operations. The purpose of this ammunition is to cut re-bar, penetrates



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security glass, car doors, punches into engine blocks. The Sheriff's Office typically keeps this ammunition in inventory, but does not currently have any available for field use.

- xix. **Royal Arms International Flash Bang 82-Grain**; Cost: \$30/5 round box; Quantity: 0 rounds  
The Royal Arms International Flash Bang 82-Grain breaching shotgun cartridge is a specialty ammunition used with the Mossberg 590A1 breaching shotgun during tactical operations. The purpose of this ammunition is to cut re-bar, penetrates security glass, car doors, punches into engine blocks. The Sheriff's Office typically keeps this ammunition in inventory, but does not currently have any available for field use.
- xx. **CTS Model 2595 Muzzle Bang 12 GA**; Cost: \$188/25 round box; Quantity: 0 rounds  
The Combined Tactical Systems (CTS) Model 2595 Muzzle Bang 12 Gauge shotgun cartridge is a specialty ammunition used with the Mossberg 590A1 during tactical operations. The purpose of this ammunition is to deploy chemical munitions from the Mossberg 590A1 Chemical Munitions Shotgun. The Sheriff's Office typically keeps this ammunition in inventory, but does not currently have any available for field use.
- xxi. **SWISS P .308 Win Styx 167-Grain**; Cost: \$52/20 round box; Quantity: 10 rounds  
The SWISS P.308 Win Styx 167-Grain cartridge is a specialty ammunition used with the .308 bolt action rifles specifically designed for sniper elements requiring precision accuracy and marksmanship at long ranges during tactical operations.
- xxii. **SWISS P .308 Win AP 196-Grain**; Cost: \$95/20 round box; Quantity: 10 rounds  
The SWISS P.308 Win AP 196-Grain cartridge is a specialty ammunition used with the .308 bolt action rifles specifically designed for sniper elements requiring precision accuracy and marksmanship. The purpose of this ammunition is to defeat armor or disable vehicles with minimal deflection during tactical operations.
- xxiii. **SWISS P .308 Win Tactical 163-Grain**; Cost: \$125/20 round box; Quantity: 10 rounds  
The SWISS P.308 Win Tactical 196-Grain cartridge is a specialty ammunition used with the .308 bolt action rifles specifically designed for sniper elements requiring precision accuracy and marksmanship. The purpose of this ammunition is specifically designed to defeat barriers, such as glass, with minimal deflection during tactical operations.
- xxiv. **SWISS P Tactical .338 Lapua 250-Grain**; Cost: \$99/20 round box; Quantity: 400 rounds  
The SWISS P Tactical .338 Lapua 250-Grain cartridge is a specialty ammunition used with the .338 bolt action rifles specifically designed for sniper elements requiring precision accuracy and marksmanship shooting through intermediate barriers at long ranges during tactical operations.



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xxv. **CTS Model 2600 12-Gauge Shotgun Launching Cartridge;** Cost: \$20/5 round box;  
Quantity: 0 rounds  
The Combined Tactical Systems (CTS) Model 2600 12 Gauge shotgun launching cartridge is a specialty ammunition used with the Mossberg 590A1 during tactical operations. The purpose of this launching cartridge is to facilitate the effective delivery of chemical agents by SERT operators from a safe distance in efforts to gain peaceful compliance during a potential or active violent confrontation.

xxvi. **CTS Model 2595 12-Gauge Shotgun Launching Cartridge;** Cost: \$20/5 round box;  
Quantity: 0 rounds  
The Combined Tactical Systems (CTS) Model 2595 12 Gauge shotgun launching cartridge is a specialty ammunition used with the Mossberg 590A1 during tactical operations. The purpose of this launching cartridge is to facilitate the effective delivery of chemical agents by SERT operators from a safe distance in efforts to gain peaceful compliance during a potential or active violent confrontation.

b. **Purpose:**

The patrol AR-15 rifles and associated ammunition are to be used as precision weapons to address a violent and/or armed threat with greater precision and/or at greater distances than a handgun, if necessary and feasible. The other specialized rifles and associated ammunition are exclusively used by SERT personnel during tactical operations as precision weapons to address a violent, armed and/or armored threat with greater precision and/or at greater distances than a handgun, if necessary and feasible. The breaching shotgun is a specialized entry tool exclusively used by highly trained SERT personnel to effectuate the forced entry into a structure or dwelling as part of a tactical operation under instruction of a Court Order or exigent circumstances exist to protect life. The chemical munitions shotgun is a specialized tool exclusively used by highly trained SERT personnel in an effort to peacefully gain compliance from a potentially violent of actively violent confrontation.

c. **Authorized Use and Training:**

i. **Authorized Use**

The discharge of a firearm at or towards another person constitutes deadly force. A deputy may discharge a firearm at or towards another person only when the deputy reasonably believes, based on the totality of the circumstances, that such force is necessary for one of the following reasons:

1. To defend against an imminent threat of death or serious bodily injury to the deputy or to another person.



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2. To apprehend a fleeing person for a felony that threatened or resulted in death or serious bodily injury, if the deputy reasonably believed that the person will cause death or serious bodily injury to another if his or her apprehension is delayed. Where feasible, a deputy shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the deputy has objectively reasonable grounds to believe the person is aware of those facts.
3. As a member of SERT when he or she is directed by the commander in charge of the team to use deadly force based on the totality of circumstances known to the commander.

A deputy may also discharge a firearm for the following additional reasons:

1. To kill a dangerous animal, or to kill an animal that is so badly injured that humanity requires its removal from further suffering and no other disposition is practical.
2. For target practice at an approved range as directed by the range master in attendance.
3. To give an alarm or to call for assistance in a life-threatening situation when no other means can be used, when discharge would not jeopardize the safety of other persons.

A deputy must consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm.

#### ii. **Prohibited Use**

Firearms shall not be discharged in the following circumstances:

1. When lesser force can reasonably and effectively be used.
2. When there is an unreasonable risk of danger to bystanders.
3. As a warning to a suspect.
4. At or from a moving vehicle, except when a life-threatening situation requires immediate action in the form of deadly force.
5. At a moving vehicle with the intent to disable it, except as a member of SERT when the member is directed to do so by the commander in charge of the team.



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#### iii. Training

The Colt AR-15 semi-automatic carbine rifle is considered an entry level and standard issue once a deputy completed a California Peace Officer Standards and Training (POST) rifle course.

A California Peace Officer Standards and Training (POST) rifle course must be completed for issuance of the Colt LE6943 semi-automatic carbine rifle to a SERT member. Once this weapon is assigned, the SERT member is required to attend a POST certified tactical rifle course to gain knowledge and skills specific to this short-barreled rifle pursuant to California Penal Code section 33220(b).

A California Peace Officer Standards and Training (POST) sniper course will be completed prior to the issuance the Accuracy International .338 and .308 bolt action rifles to a sniper team member and authorized for use.

A specialty breaching course must be completed for issuance of the Mossberg 590A1 breaching shotgun to a SERT member. Once this weapon is assigned, the SERT member is required to attend a basic school to learn knowledge and skills specific to this weapon system.

When a Mossberg 590A1 chemical munitions shotgun is issued, the assigned SERT member is required to attend a basic school to learn knowledge and skills specific to this weapon system and on-going training will be.

#### d. Expected Lifespan:

- i. Colt AR-15 (.223) - No Expiration<sup>4</sup>
- ii. Colt 11.5" Carbine LE6943 (.223) - No Expiration
- iii. Accuracy International Bolt Action Rifle (.338) - No Expiration
- iv. Accuracy International Bolt Action Rifle (.308) - No Expiration
- v. Mossberg 590A1 Breaching Shotgun - No Expiration
- vi. Mossberg 590A1 Chemical Munitions Shotgun - No Expiration
- vii. Speer .223 62-Grain Gold Dot - No Expiration
- viii. PMC .223 55-Grain FMJ-BT - No Expiration
- ix. Federal American Eagle .223 62-Grain FMJ-BT – No Expiration
- x. Hornady 308 Win 155-Grain ELD Match - No Expiration
- xi. Federal 308 Win 168-Grain Match King - No Expiration
- xii. Federal 308 Win 168-Grain Bonded Tip - No Expiration

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<sup>4</sup> The weapon systems in sections i, ii, iii, iv, v and vi do not have expiration dates, but these will need to be serviced or replaced when an individual firearm fails or is damaged.





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- xiii. SWISS P Styx Action .338 Lapua 247-Grain - No Expiration
- xiv. SWISS P Armor Piercing .338 Lapua 260-Grain - No Expiration
- xv. Royal Arms International Tesar #1 275-Grain - No Expiration
- xvi. Royal Arms International Tesar #2 425-Grain – No Expiration
- xvii. Royal Arms International Tesar #4 750-Grain – No Expiration
- xviii. Royal Arms International Hollow Point Rebar Cutter 450-Grain – No Expiration
- xix. Royal Arms International Flash Bang 82-Grain – No Expiration
- xx. CTS Model 2595 Muzzle Bang 12 GA – No Expiration
- xxi. SWISS P .308 Win Styx 167-Grain – No Expiration
- xxii. SWISS P .308 Win AP 196-Grain – No Expiration
- xxiii. SWISS P .308 Win Tactical 163-Grain – No Expiration
- xxiv. SWISS P Tactical .338 Lapua 250-Grain – No Expiration
- xxv. SWISS P Target .338 Lapua 250-Grain – No Expiration
- xxvi. CTS Model 2600 12-Gauge Shotgun Launching Cartridge – No Expiration
- xxvii. CTS Model 2595 12-Gauge Shotgun Launching Cartridge – No Expiration

e. **Fiscal Impact:**

The Sheriff's Office anticipates annual replenishment needs for items in this category based on training and operational usage as well as replacement of old/broken equipment. However, there may be some years where there may not be any replenishment costs due to limited usage and some may be higher depending on use and item scarcity. The following figures represent the expected cost range of annual replenishment of each item.

- i. Colt AR-15 (.223) - Annual cost between \$0 - \$50.
- ii. Colt 11.5" Carbine LE6943 (.223) - Annual cost between \$0 - \$1000.<sup>5</sup>
- iii. Accuracy International Bolt Action Rifle (.338) - Annual cost between \$0 - \$3000.
- iv. Accuracy International Bolt Action Rifle (.308) - Annual cost between \$0 - \$8500.
- v. Mossberg 590A1 Breaching Shotgun - Annual cost between \$0 - \$500.
- vi. Mossberg 590A1 Chemical Munitions Shotgun - Annual cost between \$0 - \$500.
- vii. Speer .223 62-Grain Gold Dot - Annual cost between \$0 - \$50,000.
- viii. PMC .223 55-Grain FMJ-BT - Annual cost between \$0 - \$50,000.
- ix. Federal American Eagle .223 62-Grain FMJ-BT – Annual cost between \$0 - \$50,000.
- x. Hornady 308 Win 155-Grain ELD Match - Annual cost between \$0 - \$20,000.
- xi. Federal 308 Win 168-Grain Match King - Annual cost between \$0 - \$10,000.
- xii. Federal 308 Win 168-Grain Bonded Tip - Annual cost between \$0 - \$10,000.

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<sup>5</sup> The Sheriff's Office is requesting approval for the replacement of 185 AR-15 rifles that are 15-20 years old and have diminished accuracy as a result or are inoperable due to damage. The anticipated cost is around \$800-850 per rifle for a total of \$157,000. However, the Sheriff's Office plans to resell the old rifles back to an FFL to recoup some of the cost of the replenishment in the interest of fiscal responsibility.



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- xiii. SWISS P Styx Action .338 Lapua 247-Grain - Annual cost between \$0 - \$10,000.
- xiv. SWISS P Armor Piercing .338 Lapua 260-Grain - Annual cost between \$0 - \$10,000.
- xv. Royal Arms International Tesar #1 275-Grain - Annual cost between \$0 - \$800.
- xvi. Royal Arms International Tesar #2 425-Grain - Annual cost between \$0 - \$800.
- xvii. Royal Arms International Tesar #4 750-Grain - Annual cost between \$0 - \$800.
- xviii. Royal Arms International Hollow Point Rebar Cutter 450-Grain - Annual cost between \$0 - \$800.
- xix. Royal Arms International Flash Bang 82-Grain - Annual cost between \$0 - \$1000.
- xx. CTS Model 2595 Muzzle Bang 12 GA - Annual cost between \$0 - \$1000.
- xxi. SWISS P .308 Win Styx 167-Grain - Annual cost between \$0 - \$10,000.
- xxii. SWISS P .308 Win AP 196-Grain - Annual cost between \$0 - \$10,000.
- xxiii. SWISS P .308 Win Tactical 163-Grain - Annual cost between \$0 - \$10,000.
- xxiv. SWISS P Tactical .338 Lapua 250-Grain - Annual cost between \$0 - \$10,000.
- xxv. SWISS P Target .338 Lapua 250-Grain - Annual cost between \$0 - \$10,000.
- xxvi. CTS Model 2600 12-Gauge Shotgun Launching Cartridge - Annual cost between \$0 - \$1000.
- xxvii. CTS Model 2595 12-Gauge Shotgun Launching Cartridge - Annual cost between \$0 - \$1000.

#### 6. DIVERSIONARY DEVICES & CHEMICAL AGENTS (CATEGORY 12):

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

- i. **CTS Model 7290M Flash Bang**; Cost: \$45/unit; Quantity: 72  
The Combined Tactical Systems (CTS) 7290M is a single use flash-bang that emits a loud “bang” and a flash of light as a diversion.
- ii. **CTS Model 7290-2 Flash Bang**; Cost: \$45/unit; Quantity: 2  
The Combined Tactical Systems (CTS) 7290-2 is a single use flash-bang that emits a thunderous “bang” and a flash of light as a diversion.
- iii. **CTS Model 7290-9 Flash Bang**; Cost: \$45/unit; Quantity: 0  
The Combined Tactical Systems (CTS) 7290-2 is a single use flash-bang that emits a thunderous “bang” and a flash of light as a diversion. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use.
- iv. **Defense Technology Practice Flash Bang**; Cost: \$51/unit; Quantity: 0  
The Combined Tactical Systems (CTS) practice flash bang is a re-useable flash-bang utilized in training such as SWAT school. The practice flash bang accepts practice fuses and has an unlimited life. The practice fuses are sold separately at \$16 a piece.



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- v. **CTS Model 5230 CS Smoke Grenade;** Cost: \$43/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 5230 CS smoke grenade is a large diameter burning grenade that discharges a high volume of smoke and chemical agent through multiple emission ports to gain compliance from a subject(s).
- vi. **CTS Model 5210B Smoke Grenade;** Cost: \$43/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 5210B baffled white smoke grenade is a pyrotechnic smoke grenade used as a diversion, for concealment or as a signaling device.
- vii. **CTS Model 6210 Smoke Grenade;** Cost: \$32/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 6210G white smoke grenade is a pyrotechnic smoke grenade used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- viii. **CTS Model 6210B Smoke Grenade;** Cost: \$46/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 6210B blue smoke grenade is a pyrotechnic smoke grenade used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but does not currently have any available for field use as they are expired.
- ix. **CTS Model 6210G Smoke Grenade;** Cost: \$46/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 6210G green smoke grenade is a pyrotechnic smoke grenade used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but does not currently have any available for field use as they are expired.
- x. **CTS Model 5211 White Smoke Triple Phaser Grenade;** Cost: \$44/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 5211 white smoke triple phaser is a large diameter grenade consisting of 3 separate aluminum canisters pressed together with separate charges between each canister. When deployed, the grenade will separate over a broad space to give a wider area of coverage to be used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but does not currently have any available for field use as they are expired.
- xi. **CTS Model 8210 Tactical Smoke Grenade;** Cost: \$25/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 8210 white smoke grenade is a pyrotechnic smoke grenade used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but does not currently have any available for field use as they are expired.



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- xii. **CTS Model 5230JL CS Smoke Grenade;** Cost: \$42/unit; Quantity: 8  
The Combined Tactical Systems (CTS) Model 5230JL Jet Lite CS smoke grenade is a large diameter burning grenade designed to discharge a high volume of smoke and chemical agent rapidly through multiple emission ports to gain compliance from a subject(s). The smoke composition is formulated to burn rapidly decreasing the possibility that the grenade can be picked up and thrown back at deputies.
- xiii. **CTS Model 5231 CS Smoke Grenade;** Cost: \$48/unit; Quantity: 8  
The Combined Tactical Systems (CTS) Model 5231 Riot CS smoke triple phaser is a large diameter grenade consisting of 3 separate aluminum canisters pressed together with separate charges between each canister. When deployed, the grenade will separate over a broad space to give a wider area of coverage to disperse the chemical agent to gain compliance from a subject(s).
- xiv. **CTS Model 8230 CS Smoke Grenade;** Cost: \$26/unit; Quantity: 7  
The Combined Tactical Systems (CTS) Model 8230 Tactical Grenade CS smoke is specifically for outdoor use that discharges a high volume of smoke and chemical agent through multiple emission ports to gain compliance from a subject.
- xv. **CTS Model 5230B CS Smoke Grenade;** Cost: \$45/unit; Quantity: 35  
The Combined Tactical Systems (CTS) Model 5230B Baffled Riot CS smoke is a pyrotechnic grenade designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms to gain compliance from a subject.
- xvi. **CTS Model 6330 CS Vapor Grenade;** Cost: \$45/unit; Quantity: 19  
The Combined Tactical Systems (CTS) Model 6330 CS Vapor Grenade is a unique device for delivering an invisible vapor and rendering an intense respiratory effect to a non-compliant subject.
- xvii. **CTS Model 6340A OC Vapor Grenade;** Cost: \$45/unit; Quantity: 11  
The Combined Tactical Systems (CTS) Model 6340A OC Vapor Grenade is a unique grenade delivers an invisible OC vapor and renders an intense respiratory effect to a non-compliant subject.
- xviii. **Defense Technology Model 1092 CS Han-Ball Grenade;** Cost: \$52/unit; Quantity: 120  
The Defense Technology Model 1092 CS rubber ball grenade is an outdoor use grenade expelling its CS payload in approximately 15-20 seconds.
- xix. **Liberty Dynamic Enhanced Noise Flash Diversionary Device;** Cost: \$110/Initiator & \$58/Reload; Quantity: *In Procurement Process*



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The Liberty Dynamic Enhanced Noise Flash Diversionary Device is a reloadable device that emits a thunderous “bang” and a flash of light as a diversion. The Liberty Dynamic Device is an electronic diversionary device that is initiated through a fuel-air event rather than deflagration. Because it does not utilize deflagration or an explosion there is minimal fire risk and no potential fragmentation.

- xx. **Combined Tactical Systems Model 7290MT Mini-Bang Training Body**; Cost: \$33; Quantity: 22

The Combined Tactical Systems (CTS) Model 7290MT is a training flash bang that is built and weighs exactly the same as the Model 7290 flash bang, but does not have a flash charger. The body can be used an unlimited number of times in a training environment and does not require ATF approval.

- xxi. **Combined Tactical Systems Model 201FB**; Cost: \$45; Quantity: 40

The Combined Tactical Systems (CTS) Model 201FB is the training fuse to be used in conjunction with the CTS Model 7290MT training body.

- xxii. **Combined Tactical Systems (CTS) Model 6343 OC/CS Vapor Grenade**; Cost: \$45; Quantity: 0

The Combined Tactical Systems (CTS) Model 6343 OC/CS Vapor Grenade is a unique grenade that delivers an invisible OC/CS vapor and renders an intense respiratory effect to a non-compliant subject.

b. **Purpose:**

Diversions devices create smoke, a brilliant flash and/or a loud sound to temporarily divert the attention of subjects in the immediate area. Diversions devices are used to distract and/or temporarily incapacitate dangerous suspects by overwhelming their senses of vision and hearing. The ensuing short-term (6-8 seconds) physiological/psychological sensory deprivation allows deputies to seize a moment of opportunity to take control of high-risk situations.

Chemical agents, which are commonly referred to as “tear gas,” are used as a non-lethal de-escalation tool in many potentially violent situations including, but are not limited to, a barricaded suspect and riot dispersal. The chemical agents deployed by the Santa Clara County Sheriff's Office are CS (2-Chlorobenzylidenemalononitrile) and OC (Oleoresin Capsicum), both of which are standard across United States law enforcement.

c. **Authorized Use and Training:**

i. **Authorized Use**



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CS and CN are only authorized for use by the Sheriff's Emergency Response Team (SERT) and Crowd Control Units. Diversionary devices are only authorized for use by SERT members.

Chemical agents may be used only under the following circumstances:

1. When necessary to overcome resistance to a lawful arrest.
2. When necessary to protect a deputy or another person from an assault.
3. When necessary to defend or protect a deputy or another against vicious animals.

ii. **Prohibited Use**

Chemical agents shall not be used in the following circumstances:

1. If other proportional, reasonable and/or feasible force options are available.
2. To harass, intimidate, or discriminate against any individual or group.
3. To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
4. Against handcuffed or restrained suspects unless the suspect continues to present a serious threat to the safety of the deputy or others.
5. Chemical agents shall not be used to disperse any assembly, protest, or demonstration except if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control. Additional crowd control directives are discussed below.
6. For any reasons other than the Sheriff's and County business purposes identified in the authorized uses section of this policy.

iii. **Crowd Control Directives**

Penal Code § 13652 mandates that Kinetic Energy Projectiles and Chemical Agents shall only be deployed for crowd control purposes by deputies who have received POST training for crowd control. Moreover, the use of such devices must be objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including a deputy, or to bring an objectively dangerous and unlawful situation safely and



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effectively under control. The use of Kinetic Energy Projectiles and Chemical Agents in a crowd control setting must also be in accordance with the following requirements:

1. De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
2. Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
3. Persons are given an objectively reasonable opportunity to disperse and leave the scene.
4. An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
5. Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
6. Deputies shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
7. An objectively reasonable effort has been made to extract individuals in distress.
8. Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do.
9. Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
10. Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:
  - A. A violation of an imposed curfew.
  - B. A verbal threat.
  - C. Noncompliance with a law enforcement directive.



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11. If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

iii. **Training**

Diversionsary devices shall only be used by SERT members that have been trained in their proper use by certified instructors.

A California Peace Officer Standards and Training (POST) chemical agent course must be completed by the SERT members charged with the deployment of chemical agents in a tactical setting, who have the approval of their unit commander to use those agents.

A California Peace Officer Standards and Training (POST) chemical agent course must be completed by the CCU deputies charged with the deployment of chemical agents in crowd control situations pursuant to AB 48, who have approval by their unit commander to use those agents, and the use of these munitions must be in compliance with the law.

d. **Expected Lifespan:**

- i. CTS Model 7290M Flash Bang – 5 years
- ii. CTS Model 7290-2 Flash Bang – 5 years
- iii. CTS Model 7290-9 Flash Bang – 5 years
- iv. Defense Technology Practice Diversionsary – 5 years
- v. CTS Model 5230 CS Smoke Grenade – 5 years
- vi. CTS Model 5210B Smoke Grenade – 5 years
- vii. CTS Model 6210 Smoke Grenade – 5 years
- viii. CTS Model 6210B Smoke Grenade – 5 years
- ix. CTS Model 6210G Smoke Grenade – 5 years
- x. CTS Model 5211 White Smoke Triple Phaser Grenade – 5 years
- xi. CTS Model 8210 Tactical Smoke Grenade – 5 years
- xii. CTS Model 5230JL CS Smoke Grenade – 5 years
- xiii. CTS Model 5231 CS Smoke Grenade – 5 years
- xiv. CTS Model 8230 CS Smoke Grenade – 5 years
- xv. CTS Model 5230B CS Smoke Grenade – 5 years
- xvi. CTS Model 6330 CS Vapor Grenade – 5 years
- xvii. CTS Model 6340A OC Vapor Grenade – 5 years
- xviii. Defense Technology Model 1092 CS Han-Ball Grenade – 5 years
- xix. Liberty Dynamic Enhanced Noise Flash Diversionsary Device –
- xx. Combined Tactical Systems (CTS) Model 7290MT – No Expiration
- xxi. Combined Tactical Systems (CTS) Model 201FB – 5 years
- xxii. Combined Tactical Systems (CTS) Model 6343 OC/CS Vapor Grenade – 5 years





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e. **Fiscal Impact:**

The Law Enforcement Bureau will seek replenishment of items in this category that is at little-to-no inventory. The Law Enforcement Bureau plans on ordering enough of each item in this category to ensure adequate inventory is available for deployment in emergency situations by approved personnel as well as use in training. Over the past three years, it has been difficult to procure selected items in this category due to limited stock by vendors and supply chain disruptions that are still impacting availability today. Additionally, the prices of some of these items have increased due to these same factors. The Sheriff's Office would like to notify the Board that some of the projected costs may be slightly higher than anticipated as some items are deleted and stock of others is replenished. The long-term goal is to be in a position where annual replenishment is staggered in a manner that inventory can remain adequate as product is used or expires year to year.

- i. CTS Model 7290M Flash Bang – Annual cost between \$0 - \$2,500.
- ii. CTS Model 7290-2 Flash Bang – Annual cost between \$0 - \$500.
- iii. CTS Model 7290-9 Flash Bang – Annual cost between \$0 - \$2,500.
- iv. Defense Technology Practice Diversionary – Annual cost between \$0 - \$500.
- v. CTS Model 5230 CS Smoke Grenade – Annual cost between \$0 - \$1,000.
- vi. CTS Model 5210B Smoke Grenade – Annual cost between \$0 - \$1,000.
- vii. CTS Model 6210 Smoke Grenade – Annual cost between \$0 - \$1,000.
- viii. CTS Model 6210B Smoke Grenade – Annual cost between \$0 - \$1,000.
- ix. CTS Model 6210G Smoke Grenade – Annual cost between \$0 - \$1,000.
- x. CTS Model 5211 White Smoke Triple Phaser Grenade – Annual cost between \$0 - \$1,000.
- xi. CTS Model 8210 Tactical Smoke Grenade – Annual cost between \$0 - \$1,000.
- xii. CTS Model 5230JL CS Smoke Grenade – Annual cost between \$0 - \$1,000.
- xiii. CTS Model 5231 CS Smoke Grenade – Annual cost between \$0 - \$1,000.
- xiv. CTS Model 8230 CS Smoke Grenade – Annual cost between \$0 - \$1,000.
- xv. CTS Model 5230B CS Smoke Grenade – Annual cost between \$0 - \$1,000.
- xvi. CTS Model 6330 CS Vapor Grenade – Annual cost between \$0 - \$1,000.
- xvii. CTS Model 6340A OC Vapor Grenade – Annual cost between \$0 - \$1,000.
- xviii. Defense Technology Model 1092 CS Han-Ball Grenade – Annual cost between \$0 - \$500.
- xix. Liberty Dynamic Enhanced Noise Flash Diversionary Device – Annual cost between \$0 - \$9,500.
- xx. Combined Tactical Systems (CTS) Model 7290MT – Annual cost between \$0 - \$2,000.
- xxi. Combined Tactical Systems (CTS) Model 201FB – Annual cost between \$0 - \$3,000.
- xxii. Combined Tactical Systems (CTS) Model 6343 OC/CS Vapor Grenade - Annual cost between \$0 - \$1,800.



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

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

- i. **FN Herstal – FN 303 Launcher;** Cost: \$875/unit; Quantity: 25  
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 riot control.
- ii. **FN 303 Pava/OC Powder Projectiles;** Cost: \$2,500/600 round case; Quantity: 618 rounds  
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 Washable Paint Projectiles;** Cost: \$2,500/600 round case; Quantity: 0  
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, and the secondary effect of the projectiles is marking subjects for identification with a washable colorant.
- iv. **Penn Arms 40mm Launcher;** Cost: \$785/unit; Quantity: 9  
The Penn Arms 40mm Launcher but is a single-shot less lethal system that delivers 40mm munitions from a safe distance. The Less-Lethal launcher is capable of launching 40mm munitions at a subject up to 40 yards. 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. The launcher is also used when it is necessary to breach glass windows or doors for access to a person in structure or vehicle in a rescue or apprehension scenario.
- v. **Lewis Machine & Tool (LMT) 40mm Launcher;** Cost: \$875/unit; Quantity: 113  
The LMT 40mm Launcher is a single-shot less lethal system that delivers 40mm munitions from a safe distance. The Less-Lethal launcher is capable of launching 40mm munitions at a subject up to 40 yards. The Less-Lethal launcher is a single launcher,



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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. The launcher is also used when it is necessary to breach glass windows or doors for access to a person in structure or vehicle in a rescue or apprehension scenario.

- vi. **Defense Technology 40mm Impact Sponge Baton**; Cost: \$29/unit; Quantity: 904  
The Defense Technology 40mm impact sponge baton munition is designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable.
- vii. **Defense Technology 40mm Spede-Heat OC**; Cost: \$25/unit; Quantity: 0  
The Defense Technology 40mm Spede-Heat OC munition is designed to deliver a cloud of irritant to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- viii. **Defense Technology 40mm Spede-Heat CS**; Cost: \$25/unit; Quantity: 0  
The Defense Technology 40mm Spede-Heat CS munition is designed to deliver a cloud of irritant to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- ix. **Defense Technology 40mm Spede-Heat Saf-Smoke**; Cost: \$25/unit; Quantity: 0  
The Defense Technology 40mm Spede-Heat Saf-Smoke munition is designed to deliver a pyrotechnic smoke cannister used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- x. **CTS Model 4530 40mm Impact CS Powder**; Cost: \$30/unit; Quantity: 23  
The Combined Tactical Systems (CTS) Model 4530 40mm frangible impact munition delivers greater energy on the target with extreme accuracy and simultaneously dispersing a cloud of irritant or marking powder.
- xi. **Defense Technology 40mm Impact OC**; Cost: \$30/unit; Quantity: 0  
The Defense Technology 40mm impact OC munition consists of a plastic body and crushable foam nose that contains an OC payload designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or



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inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.

- xii. **Defense Technology 40mm Impact CS; Cost: \$30/unit; Quantity: 0**  
The Defense Technology 40mm impact CS munition consists of a plastic body and crushable foam nose that contains a CS payload designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xiii. **Defense Technology 40mm Muzzle Blast OC; Cost: \$30/unit; Quantity: 0**  
The Defense Technology 40mm Muzzle Blast OC munition is designed for immediate and close quarters deployment of OC to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xiv. **Defense Technology 40mm Muzzle Blast CS; Cost: \$30/unit; Quantity: 0**  
The Defense Technology 40mm Muzzle Blast CS munition is designed for immediate and close quarters deployment of CS to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xv. **Defense Technology 40mm Skat Shell OC; Cost: \$30/unit; Quantity: 0**  
The Defense Technology 40mm Skat Shell OC munition is designed to deliver four separate sub-munitions of OC to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xvi. **Defense Technology 40mm Skat Shell CS; Cost: \$30/unit; Quantity: 0**  
The Defense Technology 40mm Skat Shell CS munition is designed to deliver four separate sub-munitions of CS to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xvii. **Defense Technology 40mm Skat Shell Saf-Smoke; Cost: \$30/unit; Quantity: 0**  
The Defense Technology 40mm Skat Shell Saf-Smoke munition is designed to deliver four separate sub-munitions of smoke. When deployed, the cartridge will separate over a



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broad space to give a wider area of coverage to be used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.

- xviii. **CTS Model 4441 40mm OC Barricade Projectile;** Cost: \$29/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 4441 40mm is a powder filled projectile that penetrates intermediate barriers and delivers irritant agents into an adjacent room.
- xix. **CTS Model 4213 40mm White Smoke Multi-Cartridge;** Cost: \$30/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 4213 40mm aluminum cartridge launches 3 sub-munitions that emit smoke via rapid burning. When deployed, the cartridge will separate over a broad space to give a wider area of coverage to be used as a diversion, for concealment or as a signaling device. The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xx. **CTS Model 4233 40mm CS Smoke Multi-Cartridge;** Cost: \$33/unit; Quantity: 0  
The Combined Tactical Systems (CTS) Model 4233 40mm aluminum cartridge launches 3 sub-munitions that emit CS via rapid burning smoke. When deployed, the cartridge will separate over a broad space to give a wider area of coverage to discharge a high volume of smoke and chemical agent through multiple emission ports to gain compliance from a subject(s). The Sheriff's Office typically keeps this device in its inventory, but do not currently have any available for field use as they are expired.
- xxi. **PepperBall Launcher;** Cost: \$700/unit; Quantity: 1  
The PepperBall Launcher uses high pressure air to deliver projectiles (similar to a paint ball delivery system). The PepperBall Launcher is capable of launching projectiles at a subject up to 60 feet. The 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, arrestees and others.
- xxii. **PepperBall Pava/OC Live-X Powder Projectiles;** Cost: \$370/90 unit case; Quantity: 0  
The Pava/OC Live-X Powder Projectiles are less lethal impact munitions designed for the PepperBall launcher. The PepperBall Live-X round contains 5.0% PAVA/OC. 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.
- xxiii. **PepperBall Pava/OC Live-MAXX Powder Projectiles;** Cost: \$648/90 unit case; Quantity: 0



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The Pava/OC Live-MAXX Powder Projectiles are less lethal impact munitions designed for the PepperBall launcher. The PepperBall Live-MAXX round contains 5.0% MAXSAICINPAVA. 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.

- xxiv. **PepperBall Pava/OC Live-SD Powder Projectiles;** Cost: \$250/90 unit case; Quantity: 0  
The Pava/OC Live-SD Powder Projectiles are less lethal munitions designed for the Pepperball launcher. The PepperBall Live-SD round contains 2.0% PAVA/OC. 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.
- xxv. **PepperBall Inert Projectiles;** Cost: \$300/90 unit case; Quantity: 0  
The Inert 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.
- xxvi. **PepperBall Water or Paint Marker Projectiles;** Cost: \$300/375 unit case; Quantity: 375  
The Water or Paint Marker Projectiles are less lethal impact munitions designed for the Pepperball launcher. The PepperBall Water or Paint round contains water 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, and the secondary effect of the projectiles is marking subjects for identification with a washable colorant.
- xxvii. **Defense Technologies Model 1440 4-Shot 40mm Launcher;** Cost: \$1,900/unit; Quantity: 4  
The Defense Technologies Model 1440 4-Shot 40mm Launcher is a Less-Lethal launcher with the capability of holding up to four projectiles. The Less-Lethal launcher is a single launcher, which allows the deputy to assess after every spent munition. The Less-Lethal launcher can launch 40mm chemical agent munitions up to 40 yards.
- xxviii. **Combined Tactical Systems (CTS) CS Liquid Barricade munition;** Cost: \$37/unit; Quantity: 0  
The Combined Tactical Systems (CTS) CS Liquid Barricade munition is a liquid CS filled projectile that is designed to penetrate intermediate barriers, such as single pane



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exterior windows, vehicle windows, pressed particle board doors, 1-2 layers of wallboard, or interior hollow core doors, in order to deliver irritant agents into an adjacent room.

- xxix. **Combined Tactical Systems (CTS) OC Liquid Barricade**; Cost: \$37/unit; Quantity: 0  
The Combined Tactical Systems (CTS) OC Liquid Barricade munition is a liquid OC filled projectile that is designed to penetrate intermediate barriers, such as single pane exterior windows, vehicle windows, pressed particle board doors, 1-2 layers of wallboard, or interior hollow core doors, in order to deliver irritant agents into an adjacent room.
- xxx. **PepperBall TAC SA PRO Plus (Requested Acquisition in 2024)**; Cost \$1,070/unit; Quantity Sought: 40  
The PepperBall TAC SA Pro Plus Launcher uses compressed air to deliver projectiles (similar to a paint ball delivery system) in situations where chemical agents may be effective to gain voluntary compliance but is too dangerous for deputies to close the distance. The 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 is also used to deliver chemical agents and designed to be used to overcome resistance and/or to subdue persons with minimal injuries to deputies, arrestees and others.

b. **Purpose:**

The goal of use of these projectile launch platforms and associated munitions is to de-escalate a potential or active violent situation through the delivery of impact or chemical agent munitions without causing critical injuries where lethal force is prohibited or inadvisable.

c. **Authorized Use and Training:**

i. **Authorized Use**

Authorized less lethal weapons include the 40MM launcher, the FN-303 launcher, and the PepperBall launcher. The Penn Arms and Lewis Machine & Tool 40mm launchers are utilized as an impact weapon by patrol, specialized units, and the Sheriff's Emergency Response Team (SERT). SERT and the Crowd Control Unit (CCU) also utilize the launcher as an impact weapon as well as a chemical agent delivery system. The FN 303 is currently only used as an impact weapon and/or chemical agent delivery system by members of the SERT and CCU. The PepperBall launcher is used by SERT, CCU, and patrol as an impact weapon as well as a chemical agent delivery system.



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CS or OC Gas munitions deployed through less lethal weapons are authorized for use only by the SERT and CCU.

Less lethal munitions constitute greater force than the use of a baton, but lesser force than use of deadly force, when deployed to the areas of the subject's body unlikely to cause death or serious physical injury. Deputies may only use less lethal munitions when the use of force is reasonable to:

1. Prevent the commission of a public offense.
2. Prevent a person from injuring himself or herself.
3. Effect the lawful arrest or detention of persons resisting or attempting to evade that arrest or detention.
4. In self-defense or in the defense of another person.

Deputies may only use less lethal munitions, when permitted as described above, under the following circumstances:

1. When deadly force would be justified and the use of less lethal options would assist in enabling an arrest, restoring order and/or reducing the risk of more serious injury.
2. When necessary to use that level of force to take into custody persons who are armed with deadly weapons, either conventional or non-traditional, and where the use of deadly force is not justified.
3. When necessary to use that level of force to subdue armed individuals threatening suicide, and where the use of deadly force is not justified.
4. When necessary to use that level of force to subdue vicious animals.
5. When lesser degrees of force have failed or cannot reasonably be used and the use of less lethal munitions is reasonable and necessary to prevent serious bodily injury or death to the deputies or to others.
6. When directed to breach a window or deploy chemical munitions into a vehicle or structure by the incident commander based on the totality of circumstances known to the commander at the time.

ii. **Prohibited Use**

Less lethal munitions shall not be used in the following circumstances:





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1. If other proportional, reasonable and/or feasible force options are available.
2. To harass, intimidate, or discriminate against any individual or group.
3. To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
4. Chemical agents shall not be used to disperse any assembly, protest, or demonstration except if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control. Additional crowd control directives are discussed below.
5. For any reasons other than the Sheriff's and County business purposes identified in the authorized uses section of this policy.

#### iii. Crowd Control Directives

Penal Code § 13652 mandates that Kinetic Energy Projectiles and Chemical Agents shall only be deployed for crowd control purposes by deputies who have received POST training for crowd control. Moreover, the use of such devices must be objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including a deputy, or to bring an objectively dangerous and unlawful situation safely and effectively under control. The use of Kinetic Energy Projectiles and Chemical Agents in a crowd control setting must also be in accordance with the following requirements:

1. De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
2. Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
3. Persons are given an objectively reasonable opportunity to disperse and leave the scene.
4. An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.



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5. Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
6. Deputies shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
7. An objectively reasonable effort has been made to extract individuals in distress.
8. Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do.
9. Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
10. Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:
  - A. A violation of an imposed curfew.
  - B. A verbal threat.
  - C. Noncompliance with a law enforcement directive.
11. If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

iv. **Training**

The various projectile launch platforms and associated munitions deployed by the Sheriff's Office shall be used by deputies trained in their deployment and in a manner consistent with Department policy and training.

d. **Expected Lifespan:**

- i. FN Herstal – FN 303 Launcher – No Expiration<sup>6</sup>
- ii. FN 303 Pava/OC Powder Projectiles – 3 years
- iii. FN 303 Washable Paint Projectiles – 3 years
- iv. Penn Arms 40mm Launcher – No Expiration
- v. Lewis Machine & Tool (LMT) 40mm Launcher – No Expiration
- vi. Defense Technology 40mm Impact Sponge Baton – 3 years

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<sup>6</sup> The weapon systems in sections i, iv, v, xxi, xxvii, and xxx do not have expiration dates, but these will need to be serviced or replaced when an individual firearm fails or is damaged.



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- vii. Defense Technology 40mm Spede-Heat OC – 5 years
- viii. Defense Technology 40mm Spede-Heat CS – 5 years
- ix. Defense Technology 40mm Spede-Heat Saf-Smoke – 5 years
- x. CTS Model 4530 40mm Impact CS Powder – 5 years
- xi. Defense Technology 40mm impact OC munition – 5 years
- xii. Defense Technology 40mm impact CS munition – 5 years
- xiii. Defense Technology 40mm Muzzle Blast OC munition – 5 years
- xiv. Defense Technology 40mm Muzzle Blast CS munition – 5 years
- xv. Defense Technology 40mm Skat Shell OC munition – 5 years
- xvi. Defense Technology 40mm Skat Shell CS munition – 5 years
- xvii. Defense Technology 40mm Skat Shell Saf-Smoke munition – 5 years
- xxviii. CTS Model 4441 40mm Impact OC Barricade Projectile– 5 years
- xix. CTS Model 4213 40mm White Smoke Multi-Cartridge – 5 years
- xx. CTS Model 4233 40mm CS Smoke Multi-Cartridge – 5 years
- xxi. PepperBall Launcher – No Expiration
- xxii. PepperBall Pava/OC Live-X Powder Projectiles – 3 years
- xxiii. PepperBall Pava/OC Live-MAXX Powder Projectiles – 3 years
- xxiv. PepperBall Pava/OC Live-SD Powder Projectiles – 3 years
- xxv. PepperBall Inert Practice Projectiles – 3 years
- xxvi. PepperBall Water or Paint Marker Projectiles – 3 years
- xxvii. Defense Technologies Model 1440 4-Shot 40mm Launcher – No Expiration
- xxviii. CTS CS Liquid Barricade munition – 5 years
- xxix. CTS OC Liquid Barricade munition – 5 years
- xxx. PepperBall TAC SA PRO Plus – No Expiration

e. **Fiscal Impact:**

- i. FN Herstal – FN 303 Launcher – Annual cost between \$0 - \$10,000.
- ii. FN 303 Pava/OC Powder Projectiles – Annual cost between \$0 - \$5,000.
- iii. FN 303 Washable Paint Projectiles – Annual cost between \$0 - \$5,000.
- iv. Penn Arms 40mm Launcher – Annual cost between \$0 - \$5,000.
- v. Lewis Machine & Tool (LMT) 40mm Launcher – Annual cost between \$0 - \$10,000.
- vi. Defense Technology 40mm Impact Sponge Baton – Annual cost between \$0 - \$20,000.
- vii. Defense Technology 40mm Spede-Heat OC – Annual cost between \$0 - \$1,000.
- viii. Defense Technology 40mm Spede-Heat CS – Annual cost between \$0 - \$1,000.
- ix. Defense Technology 40mm Spede-Heat Saf-Smoke – Annual cost between \$0 - \$1,000.
- x. CTS Model 4530 40mm Impact CS Powder – Annual cost between \$0 - \$1,000.
- xi. Defense Technology 40mm impact OC munition – Annual cost between \$0 - \$1,000.
- xii. Defense Technology 40mm impact CS munition – Annual cost between \$0 - \$1,000.
- xiii. Defense Technology 40mm Muzzle Blast OC munition – Annual cost between \$0 - \$1,000.



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- xiv. Defense Technology 40mm Muzzle Blast CS munition – Annual cost between \$0 - \$1,000.
- xv. Defense Technology 40mm Skat Shell OC munition – Annual cost between \$0 - \$1,000.
- xvi. Defense Technology 40mm Skat Shell CS munition – Annual cost between \$0 - \$1,000.
- xvii. Defense Technology 40mm Skat Shell Saf-Smoke munition – Annual cost between \$0 - \$1,000.
- xviii. CTS Model 4441 40mm Impact OC Barricade Projectile– Annual cost between \$0 - \$1,000.
- xix. CTS Model 4213 40mm White Smoke Multi-Cartridge – Annual cost between \$0 - \$1,000.
- xx. CTS Model 4233 40mm CS Smoke Multi-Cartridge – Annual cost between \$0 - \$1,000.
- xxi. PepperBall Launcher – Annual cost between \$0 - \$2,100.
- xxii. PepperBall Pava/OC Live-X Powder Projectiles – Annual cost between \$0 - \$3,500.
- xxiii. PepperBall Pava/OC Live-MAXX Powder Projectiles – Annual cost between \$0 - \$3,500.
- xxiv. PepperBall Pava/OC Live-SD Powder Projectiles – Annual cost between \$0 - \$2,500.
- xxv. PepperBall Inert Practice Projectiles – Annual cost between \$0 - \$1,500.
- xxvi. PepperBall Water or Paint Marker Projectiles – Annual cost between \$0 - \$1,500.
- xxvii. Defense Technologies Model 1440 4-Shot 40mm Launcher – Annual cost between \$0 - \$8,000.
- xxviii. CTS CS Liquid Barricade munition – Annual cost between \$0 - \$1,500.
- xxix. CTS OC Liquid Barricade munition – Annual cost between \$0 - \$1,500.
- xxx. PepperBall TAC SA PRO Plus – Initial Cost \$99,600 and annual cost between \$0 - \$1,500.



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### Custody Bureau Military Equipment List

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The following list contains the inventory of equipment in the possession of the Santa Clara County Sheriff's Office Custody Bureau as of April 2, 2024, 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: 196  
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: 72  
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: 13  
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: 25  
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: 32  
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: 5



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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: 140

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: 3**

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: 96**

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
- iv. SABRE Red MK-46 High Volume Streamer\* – Annual cost between \$0 - \$1,000



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- 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: 13**

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: 8**

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 TAC SA PRO Plus; Cost: \$1,070/unit; Quantity: 40**

The PepperBall TAC SA PRO Plus launcher uses compressed air to deliver projectiles (similar to a paint ball delivery system) in situations where chemical agents may be effective to gain voluntary compliance but is too dangerous for deputies to close the distance. The use of the launcher to deliver chemical agents is intended and designed to





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be used to overcome resistance and/or to subdue persons with minimal injuries to inmates and deputies.

- v. **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.
- vi. **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.
- vii. **PepperBall Inert Powder Projectiles**; Cost: \$355/375 round case; Quantity: 50  
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.
- viii. **PepperBall Marking Projectiles**; Cost: \$300/375 round case; Quantity: 1  
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 aggressor, and the secondary effect of the projectiles is marking subjects for identification with a washable colorant.
- ix. **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.
- x. **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



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is prohibited or inadvisable. This munition has a maximum effective range of 131 feet and is designed for direct impact.

- xi. Defense Technology 40mm Reloadable 24-Shot Training Kit;** Cost: \$315; Quantity: 1  
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.

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.



# Appendix B

## Santa Clara County Sheriff's Office

### Custody Bureau Military Equipment List

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**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 TAC SA PRO Plus\* – No Expiration
- v. PepperBall Live-X Powder Projectiles – 3 years
- vi. PepperBall Live Powder Projectiles – 3 years
- vii. PepperBall Inert Powder Projectiles – 3 years
- viii. PepperBall Marking Projectiles – 3 years
- ix. Defense Technology 40mm Launcher\* – No Expiration
- x. Defense Technology 40mm eXact iMpatc Sponge Round – 5 years
- xi. 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 TAC SA PRO Plus - Annual cost between \$0 - \$5,000
- v. PepperBall Live-X Powder Projectiles – Annual cost between \$0 - \$1500
- vi. PepperBall Live Powder Projectiles – Annual cost between \$0 - \$1500
- vii. PepperBall Inert Powder Projectiles – Annual cost between \$0 - \$1100
- viii. PepperBall Marking Projectiles – Annual cost between \$0 - \$500
- ix. Defense Technology 40mm Launcher – Annual cost between \$0 - \$5,000
- x. Defense Technology 40mm eXact iMpatc Sponge Round – Annual cost between \$0 - \$300
- xi. Defense Technology 40mm 24-Shot Training Kit – Annual cost between \$0 - \$700



# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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Stanford University has an MOU with the Santa Clara County Sheriff's Office regarding police services. Since Stanford is unincorporated land and is a private university, the law enforcement responsibility falls on the County Sheriff. The Sheriff, at the request of Stanford University, utilizes Reserve Deputy Sheriff status (under Section 830.6 of the California Penal Code) for the Stanford University Department of Public Safety (SUDPS). The deputies are Stanford University employees and are considered "Stanford Reserves." The Stanford Reserves are the police department for Stanford University.

The following list contains the inventory of equipment in the possession of SUDPS as of March 18, 2024 that qualifies as military equipment under state law. Although specific manufacturers are listed for certain equipment below, the SUDPS 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 SUDPS acquires new or additional equipment or if the uses or training requirements for existing equipment change.

#### 1. **SPECIALIZED FIREARMS & AMMUNITION (CATEGORY 10):**

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

- i. **Colt AR-15 (.223/5.56mm);** Cost: \$1,250/rifle; Quantity: 32  
The Colt AR-15 carbine rifle is a specialized firearm carried by deputies in field assignments. Carbine rifles are lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapons designed for semi-automatic and selective fire. The .223 cartridge is used as a lethal option designed to stop a violent encounter with greater accuracy from longer distances and is capable of penetrating soft body armor.
- ii. **Speer .223 62-Grain Gold Dot;** Cost: \$250/500 round case; Quantity: 18,500 rounds  
The Speer .223 62-Grain Gold Dot cartridge is the duty ammunition deployed during potential lethal encounters.
- iii. **Federal American Eagle .223 62-Grain;** Cost: \$300/500 round case; Quantity: 17,000 rounds  
The Federal American Eagle .223 62-Grain Gold Dot cartridge is the duty ammunition deployed during potential lethal encounters.

##### b. **Purpose:**

The AR-15 rifles are to be used as long/tactical weapons to address a violent and/or armed threat with greater precision and/or at greater distances than a handgun, if necessary and feasible.

##### c. **Authorized Use and Training:**



# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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#### i. Authorized Use

The discharge of a firearm at or towards another person constitutes deadly force. A deputy may discharge a firearm at or towards another person only when the deputy reasonably believes, based on the totality of the circumstances, that such force is necessary for one of the following reasons:

1. To defend against an imminent threat of death or serious bodily injury to the deputy or to another person.
2. To apprehend a fleeing person for a felony that threatened or resulted in death or serious bodily injury, if the deputy reasonably believed that the person will cause death or serious bodily injury to another if his or her apprehension is delayed. Where feasible, a deputy shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the deputy has objectively reasonable grounds to believe the person is aware of those facts.

A deputy may also discharge a firearm for the following additional reasons:

1. To kill a dangerous animal, or to kill an animal that is so badly injured that humanity requires its removal from further suffering and no other disposition is practical.
2. For target practice at an approved range as directed by the range master in attendance.
3. To give an alarm or to call for assistance in a life-threatening situation when no other means can be used, when discharge would not jeopardize the safety of other persons.

A deputy must consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm.

#### ii. Prohibited Use

Firearms shall not be discharged in the following circumstances:

1. When lesser force can reasonably and effectively be used.
2. When there is an unreasonable risk of danger to bystanders.
3. As a warning to a suspect.



# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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4. At or from a moving vehicle, except when a life-threatening situation requires immediate action in the form of deadly force.

- iii. **Training**

Sworn members of the SUDPS (Stanford University Department of Public Safety) who have attended and completed California Peace Officer Standards and Training (POST) rifle course and received qualification are authorized to carry the AR-15 rifle.

- d. **Expected Lifespan:**

- i. **Colt AR-15 (.223/5.56mm)** - No Expiration<sup>1</sup>
- ii. **Speer .223 62-Grain Gold Dot** - No Expiration
- iii. **Federal American Eagle .223 62-Grain** - No Expiration

- e. **Fiscal Impact:**

- i. **Colt AR-15 (.223/5.56mm)** - Annual cost between \$0 - \$2,000.
- ii. **Speer .223 62-Grain Gold Dot** - Annual cost between \$0 - \$15,000.
- iii. **Federal American Eagle .223 62-Grain** - Annual cost between \$0 - \$15,000.

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

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

- i. **Defense Technology 40mm Launcher; Cost: \$785/unit; Quantity: 8**  
The Defense Technology 40mm Launcher is not a firearm but is a single-shot less lethal system that delivers 40mm munitions from a safe distance. The Less-Lethal launcher is capable of launching 40mm munitions at a subject up to 25 yards. The kinetic energy projectiles are designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable.
- ii. **Defense Technology 40mm Impact Sponge Baton; Cost: \$29/unit; Quantity: 140<sup>2</sup>**  
The Defense Technology 40mm impact sponge baton munition is designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable.

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<sup>1</sup> The weapon system in section i does not have an expiration date, but these will need to be serviced or replaced when an individual firearm fails or is damaged.

<sup>2</sup> A portion of these munitions in inventory will be replaced as some have expired.



# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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b. **Purpose:**

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

c. **Authorized Use and Training:**

i. **Authorized Use**

Less lethal munitions constitute greater force than the use of a baton, but lesser force than use of deadly force, when deployed to the areas of the subject's body unlikely to cause death or serious physical injury. Deputies may only use less lethal munitions when the use of force is reasonable to:

1. Prevent the commission of a public offense.
2. Prevent a person from injuring himself or herself.
3. Effect the lawful arrest or detention of persons resisting or attempting to evade that arrest or detention.
4. In self-defense or in the defense of another person.

Deputies may only use less lethal munitions, when permitted as described above, under the following circumstances:

1. When deadly force would be justified and the use of less lethal options would assist in enabling an arrest, restoring order and/or reducing the risk of more serious injury.
2. When necessary to use that level of force to take into custody persons who are armed with deadly weapons, either conventional or non-traditional, and where the use of deadly force is not justified.
3. When necessary to use that level of force to subdue armed individuals threatening suicide, and where the use of deadly force is not justified.
4. When necessary to use that level of force to subdue vicious animals.
5. When lesser degrees of force have failed or cannot reasonably be used and the use of less lethal munitions is reasonable and necessary to prevent serious bodily injury or death to the deputies or to others.



# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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#### ii. Prohibited Use

Less lethal munitions shall not be used in the following circumstances:

1. If other proportional, reasonable and/or feasible force options are available.
2. To harass, intimidate, or discriminate against any individual or group.
3. To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
4. Chemical agents shall not be used to disperse any assembly, protest, or demonstration except if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control. Additional crowd control directives are discussed below.
5. For any reasons other than the Sheriff's, University and County business purposes identified in the authorized uses section of this policy.

#### iii. Crowd Control Directives

Penal Code § 13652 mandates that Kinetic Energy Projectiles and Chemical Agents shall only be deployed for crowd control purposes by deputies who have received POST training for crowd control. Moreover, the use of such devices must be objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including a deputy, or to bring an objectively dangerous and unlawful situation safely and effectively under control. The use of Kinetic Energy Projectiles and Chemical Agents in a crowd control setting must also be in accordance with the following requirements:

1. De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
2. Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
3. Persons are given an objectively reasonable opportunity to disperse and leave the scene.





# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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4. An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
5. Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
6. Deputies shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
7. An objectively reasonable effort has been made to extract individuals in distress.
8. Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do.
9. Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
10. Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:
  - A. A violation of an imposed curfew.
  - B. A verbal threat.
  - C. Noncompliance with a law enforcement directive.
11. If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

iv. **Training**

A less lethal munition will only be used by sworn members of SUDPS who have been trained in its deployment and in a manner consistent with Department policy and training.

d. **Expected Lifespan:**

- i. Defense Technology 40mm Launcher - No Expiration<sup>3</sup>

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<sup>3</sup> The weapon system in section i does not have an expiration date, but these will need to be serviced or replaced when an individual firearm fails or is damaged.



# Appendix C

## Santa Clara County Sheriff's Office

### Stanford University Military Equipment List

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ii. Defense Technology 40mm Impact Sponge Baton – 3 years

e. **Fiscal Impact:**

- i. Defense Technology 40mm Launcher - Annual cost between \$0 - \$1,500.
- ii. Defense Technology 40mm Impact Sponge Baton - Annual cost between \$0 - \$1,500.