

**EXHIBIT “A”**  
**MILITARY EQUIPMENT USE POLICY**

**MEUP 1. PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of “military equipment” (Cal. Gov’t Code §§ 7070-7072). This policy is provided to fulfill the obligations set for in Assembly Bill 481. These obligations include but are not limited to seeking approval on specific items deemed to be “military equipment” and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items.

**MEUP 2. DEFINITIONS**

Definitions related to this policy include (Cal. Gov’t Code § 7070):

“**Chief of Police**” means the Chief of the Department, or his or her designee.

“**Department**” means the City of Lancaster Police Department.

“**Military equipment**” includes but is not limited to the following:

- (a) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (b) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- (c) High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- (d) Tracked armored vehicles that provide ballistic protection to their occupants.
- (e) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (f) Weaponized aircraft, vessels, or vehicles of any kind.
- (g) Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- (h) Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- (i) Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in sections 30510 and/or 30515 of the California Penal Code, with the exception of standard-issue firearms.
- (j) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (k) Noise-flash diversionary devices and explosive breaching tools.
- (l) Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- (m) TASER<sup>®</sup> Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- (n) Kinetic energy weapons and munitions.

- (o) Any other equipment as determined by a governing body or a state agency to require additional oversight.

“**Military Equipment Coordinator**” means the individual designed as the military equipment coordinator pursuant to section 4 of this policy.

### **MEUP 3. POLICY**

It is the policy of the Department that members of the Department comply with the provisions of section 7071 of the California Government Code with respect to the use of military equipment.

### **MEUP 4. MILITARY EQUIPMENT COORDINATOR**

The Chief of Police has designated [REDACTED] to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the City Council for matters related to the requirements of this policy.
- (b) Identifying Department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the City Council.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Department (Cal. Gov’t Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  - 1. Publicizing the details of the meeting.
  - 2. Preparing for public questions regarding the Department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and the City Council and ensuring that the report is made available on the Department website (Cal. Gov’t Code § 7072).
- (g) Coordinating the processing of complaints and concerns submitted pursuant to Section 711.11 of this policy.

### **MEUP 5. MILITARY EQUIPMENT CONSIDERATIONS**

- (a) The military equipment acquired and authorized by the Department and approved by the City Council 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.
- (b) Military equipment shall be used by a Department member only after applicable training, as described in applicable Department Policies and Procedures, including the completion of any course required by the Commission on Peace Officer Standards and Training.

## **MEUP 6. MILITARY EQUIPMENT INVENTORY**

A list of qualifying equipment for the Department is attached as Attachment No. 1 to this policy and is incorporated herein by reference.

## **MEUP 7. APPROVAL**

The Chief of Police shall obtain approval from the City Council by way of an ordinance adopting this military equipment use policy. As part of the approval process, the Chief of Police shall ensure the proposed military equipment use policy is submitted to the City Council and is available on the Department website at least 30 days prior to any public hearing concerning the military equipment at issue (Cal. Gov't Code § 7071). This military equipment use policy must be approved by the City Council prior to engaging in any of the following (Cal. Gov't Code § 7071):

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

## **MEUP 8. COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of this Department shall be in accordance with this policy and all applicable Department policies. Military equipment used by any other departments that provides mutual aid within the Department's jurisdiction shall comply with its department's policies.

## **MEUP 9. ANNUAL REPORT**

Upon approval of this military equipment use policy, the Chief of Police shall submit a military equipment report to the City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Cal. Gov't Code § 7072).

The military equipment coordinator shall make each annual military equipment report publicly available on the Department website for as long as the military equipment is available for use. The report shall include all of the following information for the preceding calendar year:

- (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 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 Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

#### **MEUP 10. COMPLIANCE**

The Department will ensure that employees comply with this policy. All potential policy violations will be referred to internal affairs for investigation. (Cal. Gov't Code §§ 7070(d), 7072(a))

#### **MEUP 11. COMMUNITY ENGAGEMENT**

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

#### **MEUP 12. PUBLIC CONCERNS**

Any member of the public may submit a question or concern regarding the Department's military equipment by contacting the Department via email at [REDACTED]. A response to the question or concern shall be completed and provided by the Department in a timely manner.