

Military Equipment

705.1 PURPOSE AND SCOPE

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

This policy establishes guidelines for the acquisition, funding, use, and reporting of "military equipment", as the term is defined in Government Code § 7070(c). The equipment identified as "military equipment" in Government Code § 7070(c) is referred to as "Specialized Equipment" in this policy. This policy is provided to fulfill the obligations set forth in Assembly Bill No. 481. These obligations include, but are not limited to, seeking approval on specific items deemed to be Specialized Equipment and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items.

705.1.1 DEFINITIONS

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

Governing body – The Burbank-Glendale-Pasadena Airport Authority Commission.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- 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 subdivision.
- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. 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.
- Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

Military Equipment

- Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 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 a state agency.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.
- Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

705.2 POLICY

It is the policy of the Burbank Glendale Pasadena Airport Authority Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment. There shall be legally enforceable safeguards, including transparency, oversight, and accountability measures in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

705.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police designates the Administrative Commander to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

1. Acting as liaison to the governing body for matters related to the requirements of this policy.
2. Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
3. Conducting an inventory of all military equipment at least annually.
4. Collaborating with any allied agency that may use military equipment within the jurisdiction of the Burbank Glendale Pasadena Airport Authority Police Department (Government Code § 7071).
5. Preparing for, scheduling, and coordinating the annual community engagement meeting to include:

Burbank Glendale Pasadena Airport Authority Police Department

BGPAAPD Policy Manual

Military Equipment

1. Publicizing the details of the meeting.
2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
6. Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
7. Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.
8. Coordinating the processing of complaints and concerns submitted as outlined in this policy.

705.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Burbank Glendale Pasadena Airport Authority Police Department :

See attachment: [See attachment: Military Equipment \(Inventory\).pdf](#)

All military equipment kept and maintained by the Police Department shall be cataloged in a way which addresses each of the following requirements:

1. The manufacturer's description for each type of equipment.
2. The capabilities of each type of equipment.
3. The purposes and authorized uses for which the Department proposes for each type of equipment.
4. The expected lifespan of each type of equipment.
5. The fiscal impact of each type of equipment, both initially and for ongoing maintenance.
6. The quality of each type of equipment, whether maintained or sought.

705.4.1 ITEMS THAT ARE EXPENDABLE AND/OR PERISHABLE

Some items listed are expendable (can be used or expended) and/or perishable (have shelf lives and expiration dates). These include, but are not limited to, launchable munitions and flashbangs. For perishable and/or expendable items, the attached inventory will include a maximum quantity along with the quantity at the moment in time of the inventory. Being expendable and perishable, the current inventory will be in constant flux and may not match what is listed in the attachment. The Police Department may maintain up to the listed amount of each such expendable or perishable item unless and until this Policy is amended to approve a different type or amount, without additional approval from the governing body.

705.4.2 MILITARY EQUIPMENT USE CONSIDERATIONS

The following shall apply to any military equipment acquired and authorized by the Department:

Military Equipment

1. Use of the equipment shall be necessary because there are no reasonable alternatives that can achieve the same objective of officer and civilian safety.
2. Use of the equipment will serve to safeguard the public's welfare, safety, civil rights, and civil liberties.
3. The equipment is reasonably cost effective compared to any available alternatives that can achieve the same objective of officer and civilian safety.
4. The equipment shall only be used by Department employees who have received required training, including any courses required by the Commission on Peace Officer Standards and Training (POST), and/or who otherwise possess established qualifications for each item type of equipment, unless an emergency or other exigent circumstances exist.
5. The equipment shall comply with other pertinent Police Department Policies including, but not limited to, Use of Force, Control Devices and Techniques, Search and Seizure, and First Amendment Assemblies.

705.5 MILITARY EQUIPMENT USE POLICY APPROVAL

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

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

Military Equipment

705.5.1 REPLACEMENT OF APPROVED EQUIPMENT

The Police Department may acquire additional equipment and munitions of the types (or substantially similar types) contained in Appendix A. The quantity for each type of equipment and munition in Appendix A is not intended as a cap on the number that may be acquired.

705.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

705.7 ANNUAL REPORT

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

The Chief of Police or the authorized designee shall post each annual military equipment report on the Department website for as long as the military equipment is available for use. 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 in department inventory.

- (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.

705.8 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 Department shall discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

705.9 COMPLIANCE

The Military Equipment Coordinator will ensure that all Department members comply with this policy and will conduct an annual audit. The Chief of Police or designee will be notified of any policy violations and, as appropriate, the violation(s) will be referred to the Administrative Commander

Burbank Glendale Pasadena Airport Authority Police Department

BGPAAPD Policy Manual

Military Equipment

and handled as Personnel Complaints. All instances of non-compliance will be reported to the governing body via the annual military equipment report.

Any member of the public can register a question or concern regarding use of military equipment by contacting the Administrative Commander via telephone at (818) 840-9536. A response to the question or concern shall be completed and provided by the Department in a timely manner, but not to exceed thirty (30) days.

Any member of the public can submit a complaint to any member of the Department and in any form (i.e., in person, telephone, email, etc.). Once the complaint is received, it shall be routed to the Administrative Commander as provided for in the Personnel Complaints policy.

Attachments

Military Equipment (Inventory).pdf

Appendix A

Burbank-Glendale-Pasadena Airport Authority Police Department AB-481 Military Equipment Inventory 2024

SPECIALIZED FIREARMS



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

- I. Description: Colt M4 Carbine 5.56mm Semi-Auto Enhanced Patrol Rifle, 14.5" Barrel, also described as a lightweight, air-cooled, gas-operated, magazine-fed, shoulder-fired weapon, designated for semi-automatic fire.



- i. The Department utilizes CCI/Speer LE .223 REM 55 Grain Gold Dot Duty Rifle Ammunition.

(Quantity: 8,460 / Cost: \$330.00/500)

- II. Quantity: 21 Rifles

- III. Capabilities: Capable of accurately stopping an armed subject at various distances, defeating body armor, and enabling the operator to engage accurately beyond the effective range of a pistol or shotgun.

- IV. Purchase Cost: \$1,185.23 each

b) Purpose/Authorized Usage:

Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- I. Situations where the officer reasonably anticipates an armed encounter.
- II. When an officer faced with a situation that may require the delivery of accurate and effective fire at long range.
- III. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
- IV. When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.
- V. When an officer believes that a suspect may be wearing body armor.
- VI. When authorized or requested by a supervisor.

c) Expected Life Span:

No expiration

d) Authorized Use:

Department-owned Colt M4 Carbine 5.56mm Semi-Auto Enhanced Patrol Rifles may be deployed only by properly trained and qualified sworn members as a supplemental resource to their duty handgun and shotgun.

e) Fiscal Impact:

No recurring fiscal impact

f) Legal/Procedural Rules Governing Use:

All applicable State, Federal and Local laws governing police use of force. Burbank-Glendale-Pasadena Airport Authority Police Policies 203 (Training), 300 (Use of Force) 306 (Firearms)

KINETIC ENERGY WEAPON (40MM LAUNCHER)



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

- I. Description: Defensive Technology 40mm Single Shot Launcher (model 1425), further described as a Less-Lethal system, not a firearm, that uses smokeless powder to deliver 40mm projectiles from a safe distance.



- i. **Exact Impact 40mm Standard Range Sponge Round (Model 6325)** is a point-of-aim, point-of-impact direct-fire round. This projectile consists of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant. Used as a ranged impact weapon.



(Quantity: 39 / Cost: \$24.75 each)

- ii. **Direct Impact 40 mm OC Crushable Foam Round (Model 6320)** is a point-of-aim, point-of-impact direct-fire round. This munition is loaded with Oleoresin Capsicum (OC) powder. It combines impact with the effects of an irritant powder.
(Quantity: 19 / Cost: \$24.75 each)

II. Quantity: 10

III. Capabilities: 40mm launchers can fire a variety of munitions with a maximum effective range of one hundred twenty (120) feet. 40mm launchers can deliver 40mm munitions in the form of chemical agents, sponge rounds, or combined use of sponge tip chemical agent rounds.

IV. Purchase Cost: \$860.00 for each Defense Technology 40mm Single Shot Launcher

b) Purpose/Authorized Use:

KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used to de-escalate a potentially deadly situation.

Circumstances appropriate for deployment include, but are not limited to, situations in which: The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions. The suspect has made credible threats to harm him/herself or others. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

TEAR GAS GUIDELINES

Used to deploy chemical agent into a specific location from a distance. Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander or Incident Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

Only Department personnel who have successfully completed a department-approved training course in the proper use and deployment of Kinetic Energy Weapons are authorized to deploy them during operations.

c) Expected Life Span:

No expiration

d) Department-owned Defensive Technology 40mm Single Shot Launchers may be deployed only by properly trained and qualified sworn members as a supplemental resource to their duty handgun and shotgun.

e) Fiscal Impact:

No recurring fiscal impact

f) Legal/Procedural Rules Governing Use:

All applicable State, Federal and Local laws governing police use of force. Burbank-Glendale-Pasadena Airport Police Policies 203 (Training), 300 (Use of Force), 303 (Control Devices and Techniques), 428 (First Amendment Assemblies)