

# Martinez Police Department



AB481 – Military and Specialized Equipment  
2023 Annual Report

## Summary:

On September 30, 2021, the Governor of the State of California approved Assembly Bill 481 (codified as Chapter 12.8 of the California Government Code) requiring law enforcement agencies such as the Martinez Police Department to have a military use policy approved by the City Council prior to requesting, seeking funding, acquiring or using military equipment. Assembly Bill 481 allows the governing body to approve the policy within its jurisdiction only if it determines that the military equipment meets specified standards.

On July 6, 2022, the Martinez City Council adopted Ordinance 22-1437 approving Martinez Police Department Policy #706: Military Equipment Funding, Acquisition, and Use. As required by Assembly Bill 481 and the Ordinance, annually the Martinez Police Department must prepare a report on the use of each type of military equipment approved in the Policy over the last year. Subsequently, the City Council must then review the Ordinance, Policy and Annual Report, and determine whether the Department's use of military equipment in the past year complied with the Policy, and whether to continue the Ordinance and Policy, take action (by ordinance) to modify the Policy or repeal the Ordinance.

As set forth in the Policy, the Martinez Police Department retains and employs limited military equipment to safeguard its community. MPD officers, certified instructional staff, and specialized units receive regular training on the use of military equipment approved under the Policy.

This Annual Report outlines the Martinez Police Department's military equipment inventory and usage, community complaints over use of military equipment, and internal audits from July 6, 2022, through December 31, 2023. The Department will submit its Military Equipment Annual Report to the City Council every January for the previous year in compliance with AB 481.

Definitions of Military Equipment established by California Government Code §7070:  
(Martinez PD utilizes a limited number of the resources listed below)

Military equipment includes but is not limited to the following types of equipment:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles or any kind
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.

- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code §30510 and Penal Code §30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- Taser Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs)
- Kinetic energy weapons and munitions (e.g., 40MM launcher, bean bag shotgun, foam tipped projectiles)
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

## **Summary of Military Equipment**

**Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

### **Description, quantity, capabilities, and purchase cost**

High Mobility Multipurpose Wheeled Vehicle (HMMWV). The HMMWV is an armored vehicle that seats 4 personnel with an open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of a shield and personal body armor.

Cost: None

Quantity: 1

#### **Purpose**

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

#### **Authorized Use**

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

#### **Lifespan**

HMMWV, 25+ years.

#### **Fiscal Impact**

Annual maintenance cost: Routine oil and fuel costs amounting to approximately \$500.

## **Training**

All driver/operators shall receive instruction and be trained in vehicle operations and practical driving instruction.

## **Legal and Procedural Rules**

It is the policy of the Martinez Police Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

**Mobile Emergency Operations Center (MEOC):** A vehicle used as a mobile command center that provides shelter, consolidated command and control activities, access to Department computer systems, and restroom facilities during extended events.

### **Description, quantity, capabilities, and purchase cost**

Ford Super Duty Econo-liner Chassis (custom built) vehicle. The MEOC can also be utilized for SWAT/CNT and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events.

Cost: \$96,000

Quantity: 1

## **Purpose**

To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.

## **Authorized Use**

Only officers trained in their deployment and operations in a manner consistent with Martinez Police Department policy and training are authorized to operate the MEOC. Situations which the MEOC is authorized for use would include but not be limited to critical incidents, emergencies, natural disasters, and large community events.

## **Lifespan**

The MEOC has an estimated 20-year lifespan on the chassis and vehicle structure. Upgrades are occasionally needed to maintain IT-related systems.

## **Fiscal Impact**

Annual maintenance cost is approximately \$5,000.

## **Training**

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver. Driver/operators shall also undergo California Department of Motor Vehicles commercial vehicle testing.

## Legal and Procedural Rules

It is the policy of the Department to use the MEOC only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

**Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a longer distance.

### Description, quantity, capabilities, and purchase cost

Tikka T3x, 7.62x54mm caliber Rifle. The rifle is only assigned to a member of the Special Weapons and Tactics (SWAT) Team who has completed specialized training.

Cost \$3,000

Quantity 1

### Purpose

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

### Authorized Use

Only members that are POST certified are authorized to use a rifle.

### Lifespan

10 years

### Fiscal Impact

Annual maintenance cost of approximately \$100.00 per rifle

### Training

Prior to use, officers must be certified by a POST certified instructor in the operation of the rifle and pass an annual qualification.

## Legal and Procedural Rules

It is the policy of the Martinez Police Department to use rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

### Ammunition:

Approximately 4,000 rounds of 7.62x54mm ammunition for both practice and duty.

**Explosive Breaching Tools:** Tools or weapons used to conduct an explosive breach of a door or entry way.

Description, quantity, capabilities, and purchase cost.

These devices are used to fire a breaching projectile to defeat door locks, hinges and dead bolts to gain access to a locked room or building.

Remington 870 Breaching Shotgun, 12 gauge.

Cost \$1195

Quantity 1

Mossberg 9200, Breaching Shotgun, 12 gauge.

Cost \$500

Quantity 1

Purpose

To safely enter a secure structure.

Authorized Use

Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.

Lifespan

Breaching Shotgun- 25 years

Fiscal Impact

Annual maintenance is approximately \$100.

Training

All officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations.

Legal and Procedural Rules

It is the policy of the Martinez Police Department to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law.

**Less Lethal Shotgun:** The Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Bean Bag Round.

Description, quantity, capabilities, and purchase cost

Remington 870 Less Lethal Shotgun. The Remington Less Lethal Shotgun is used to deploy a less lethal bean bag round at distances of up to 75 feet. The range of the system helps maintain distances between officers and a suspect reducing the immediacy of the threat which is the principal of De-escalation.

Cost \$800ea  
Quantity 2.

12-Gauge Super Sock Bean Bag Rounds. The Super Sock is a 12 gauge less lethal shotgun round firing a bean bag like projectile designed to incapacitate or distract a violent subject. The bean bag round is fired from a dedicated 12-gauge shotgun which is distinguishable by an orange or red stock and forearm.

Cost \$5ea  
Quantity 215

#### Purpose

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

#### Authorized Use:

Situations for use of the bean bag round include, but not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

#### Lifespan

Remington 870 Less Lethal Shotgun- 25 years.  
Super Sock Round- No listed expiration date.

#### Fiscal Impact

Annual maintenance is approximately \$50 for each shotgun.

#### Training

All officers should be trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training.

#### Legal and Procedural Rules

It is the policy of the Martinez Police Department to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**40 MM Launcher:** 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds or OC/CS chemical irritant munition rounds.

Description, quantity, capabilities, and purchase cost:

Penn Arms 40mm Multi-Launcher. The Penn Arms 40mm is a less lethal launcher designed to fire one direct impact round or OC/CS chemical round at distances of up to 100 feet. The launcher holds six less lethal 40mm rounds.

Cost \$1,200ea  
Quantity 2

HK 40mm single launcher. The HK is a less lethal, single round 40mm launcher designed to fire one direct impact round or OC/CS chemical round at distances of up to 100 feet.

Cost \$800ea  
Quantity 2.

Defense Technology 40mm single launcher. The Defense Technology 40mm is a less lethal, single round 40mm launcher designed to fire one direct impact round or OC/CS chemical round at distances of up to 100 feet.

Cost \$800ea  
Quantity 1.

#### **40 MM:**

Defense Technology, 40MM EXACT IMPACT SPONGE. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose built 40mm projectile launcher with a rifled barrel. The 40mm impact round is designed to distract or incapacitate a violent subject.

Cost: \$18ea  
Quantity: 64

Defense Technology, 40MM DIRECT IMPACT OC. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel. The 39-gram crushable foam projectile delivering approximately 5 grams of OC irritant. The 40mm impact round is designed to distract or incapacitate a violent subject.

Cost: \$30ea  
Quantity: 10

Combined Tactical Systems (CTS), 40mm CS/OC Ferret Rounds. The CTS ferret round is designed to penetrate glass and a wood structure and deliver a small amount of a chemical agent (irritant) in a vehicle or structure.

Cost: \$25ea  
Quantity: 20

Combined Tactical Systems (CTS), 40mm Wood Batons rounds. The CTS 40mm wood baton round is a 40mm projectile made of wood and designed to break the glass or plastic of a vehicle or structure.



Cost: \$20ea  
Quantity: 9

### Purpose

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

### Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

### Training

Sworn members utilizing less lethal chemical agent or impact rounds are trained in their use by POST certified less lethal and chemical agent instructors.

### Lifespan

- All Munitions - 5 years from manufacturing date
- Penn Arms 40mm Multi-Launcher, 20 years
- Defense Technology 40mm Single Launcher, 20 years
- HK 40mm Single Launcher, 20 years

**Distraction Devices:** A device used to distract dangerous persons commonly referred to as a "Flash-Bang".

### Description, quantity, capabilities, and purchase cost

Combined Tactical Systems, noise-flash diversionary device. A non-bursting, non-fragmenting multi-bang device that produces a loud bang with an intense bright light. Used for distracting dangerous suspects during hostage rescue, room entry or other high-risk arrest situations. The device produces a bright light and loud audible noise which falls under the decibels and candle power needed to cause damage to the eyes or hearing.

Cost: \$52ea  
Quantity: 9

Defense Technology, noise-flash diversionary device. A non-bursting, non-fragmenting multi-bang device that produces a loud bang with an intense bright light. Used for distracting dangerous suspects during hostage rescue, room entry or other high-risk arrest situations. The device produces a bright light and loud audible noise which falls under the decibels and candle power needed to cause damage to the eyes or hearing.

Cost \$50ea  
Quantity: 22

### Purpose

A distraction device is ideal for distracting dangerous suspects to create an element of surprise during hostage rescue, room entry, or other high-risk arrest situations. They are used to produce atmospheric overpressure and a brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

### Authorized Use

Diversionary Devices shall only be used:

- By officers who have been trained in their proper use.
- In hostage and barricaded subject situations.
- In high-risk warrant (search/arrest) services where there may be extreme hazards to Officers and others.
- During other high-risk situations where their use would enhance officer safety.
- During training exercises.

### Lifespan

Until used.

### Fiscal Impact

No annual maintenance.

### Training

Prior to use, officers must attend diversionary device training that is conducted by Post certified instructors.

### Legal and Procedural Rules

It is the policy of the Martinez Police Department to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Chemical Agents:** Canisters that contain chemical agents that are released when deployed.

### Description, quantity, capabilities, and purchase cost

Defense Technology, Riot Control Continuous Discharge CS Chemical Canister is designed specifically for outdoor use in crowd control situations with a high volume of continuous burn that expels its payload in approx. 20-40 seconds through four gas ports located on the top of the canister. The grenade or canister is used to conceal tactical movements or to route a crowd in a specific direction.

The volume of smoke and agent is vast and obtrusive. The device holds approx. 2.7 oz. of active agent.

Cost: \$27ea

Quantity:6

Defense Technology, Flameless Expulsion OC Chemical Grenade is a compact, non-pyrotechnic, chemical agent device that provides safe expulsion without the risk of fire. It is safe to use inside a residence. Unlike pyrotechnical grenades, this device's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area of approx. 1500 square feet. This device delivers approx. .02 oz. of active agent in approx. 3 seconds.

Cost: \$50ea

Quantity:7

40mm OC/CS Chemical Ferret Rounds are non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboards, and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.

Cost: \$ 38ea

Quantity 20

The large Instantaneous Blast OC Grenade is designed for indoor and outdoor use; this grenade's powder is expelled upon initiation of a small internal detonator that has sufficient force to split the canister at six machined grooves on the outside surface. This device is well suited for affecting numerous subjects grouped within a contained portion of a structure or area and can use wind as an advantage. The device delivers approx. 1.5 oz. of active agent.

Cost: \$ 47ea

Quantity: 4

Defense Technology CN/CS Pocket tactical CS/CN Grenade is a small, lightweight canister that delivers approx. 0.9 oz. of active agent and will burn for approx. 20-40 seconds. This is a launchable grenade, but it is normally used indoors within a burn safe device, to reduce the threat of fire, or outdoors for crowd control civil unrest purpose.

Cost: \$31ea

Quantity: 7

### Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

### Authorized Use

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

### Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

### Lifespan

5 years from manufacturing date.

### Fiscal Impact

No annual maintenance.

### Legal and Procedural Rules

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

### **Deployment and Usage**

- Mobile Emergency Operations Center (MEOC) has been deployed seven times for various functions.
- No other deployments or usage, other than items consumed during regular training, have occurred during this reporting period.

### **Complaints and Concerns:**

None

The Martinez Police Department does not anticipate purchasing or acquiring any additional equipment under this policy in the 2024 calendar year.