



DATE: June 20, 2022

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Ken Savano, Chief of Police
Eric Danly, City Attorney

SUBJECT: Adoption (Second Reading) of Ordinance No. 2818 N.C.S. of the City Council of the City of Petaluma Approving Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy, in Compliance with California Assembly Bill Number 481 (AB481)

RECOMMENDATION

It is recommended that the City Council adopt (conduct a second reading of) Ordinance No. 2818 N.C.S. adopting the Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy, in compliance with California Assembly Bill Number 481 (AB 481).

BACKGROUND

In 2021, the California Legislature passed Assembly Bill 481 (AB 481) adding new statutes to the Government Code ([GC § 7070-7075](#)) requiring any state or local law enforcement agency wishing to acquire or use "military equipment" as defined in the statute after January 1, 2022, to have in effect a written policy governing the acquisition and use of equipment subject to AB 481 that has been adopted by ordinance of the agency's governing body. AB 481 also provides that in order for law enforcement agencies to continue to use equipment subject to AB 481 that was acquired before January 1, 2022, the law enforcement agencies must begin the AB 481 ordinance approval process prior to May 1, 2022. In accordance with AB 481, the April 18, 2022 Petaluma City Council agenda included agenda item 4B giving notice of commencement of the City's AB 481 compliance process.

Pursuant to AB 481, the Petaluma Police Department has prepared a written "[Military Equipment Funding, Acquisition and Use Policy](#)" and made the policy available to the public as part of the City Council's April 18, 2022 meeting agenda materials. On June 6, 2022, City Council conducted a public hearing for the introduction of the ordinance adopting Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy. As required by AB 481, the AB 481 compliance process was initiated 30 days prior to the June 6, 2022, public hearing. At the June 6, 2022, public hearing City Council unanimously introduced the ordinance adopting Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy with the following additions and amendments to the Policy and Ordinance as initially presented by staff:

Policy Title and Section 709.1	added the word “use” after acquisition
Policy Section 709.6	added language concerning Unified Command of Petaluma PD
Ordinance and Policy Section 709.7	changed the noticing requirement for reporting on exigent circumstances warranting use or acquisition of military equipment not addressed in the Policy from 30 days to “as soon as practicable and no later than 48 hours”
Ordinance and Policy Section 709.8	added reporting on race and ethnicity demographics, comprehensive fiscal reporting and discussion of impacts/options and dates of purchase and replacement and that the Petaluma PD will be submitting quarterly reports on its use of military equipment for FY 22/23
Ordinance and Policy Section 709.9	added that annual community engagement meetings would satisfy Brown Act requirements for legislative body meetings and summarized public notice/hearing in compliance with 481 and the policy.

Additionally, the Council directed that the Petaluma Police Department will update its Unmanned Aircraft Systems (drones) policy for City Council approval before acquiring or using the systems.

DISCUSSION

Petaluma Police Department Policy 709 – Military Equipment Funding, Acquisition, and Use Policy (Attachment 2A) includes both the policy document and a separate, required, inventory of the equipment used by the Police Department (Attachment 2B) that AB 418 defines as “military equipment.” The equipment subject to AB 481 is not restricted to equipment previously used by or acquired from the military. The equipment subject to AB 481 is divided into fifteen (15) categories. AB 481 requires that for each item of equipment subject to AB 481 in a law enforcement agency’s inventory, the following details must be provided:

- Equipment Description
- Quantity
- Capabilities
- Expected Lifespan
- Manufacturer’s Description
- Purpose and Authorized Use
- Fiscal Impact
- Legal and Procedural Rules that govern each use
- Required Training

- Compliance Mechanisms

The City of Petaluma AB policy must also provide for the establishment of a process on the City of Petaluma Police Department website for members of the public to register complaints, concerns or submit questions about the use of each specific type of AB 481 equipment included in the City's AB 481 inventory list.

Additionally, AB 481 requires that each year the Petaluma Police Department must prepare an annual report including the Department's use of AB 481 equipment, any complaints received, any internal audits or other similar information concerning violations of Policy 709, the cost of such use, and other similar information. The City Council has also directed that the annual reports include demographic information including race and ethnicity related to any military equipment use, and that in addition to the annual report required by statute, the Petaluma Police Department will provide the City Council a quarterly report until July 2023. The annual report must be presented to the City Council for approval and a determination whether the report has complied with the standards set forth in AB 481. The report will also be made available on the Petaluma Police Department website. The annual AB 481 Reports will be distributed prior to the end of Fiscal Year 23 (i.e., by June 30, 2023).

The Petaluma Police Department has obtained and does utilize equipment procured from the United States Department of Defense, and the attached inventory list identifies all such equipment as required by AB 481. In addition to identifying all equipment subject to AB 481, staff has prepared an inventory of other standard issue firearms and less lethal equipment for the information of the City Council and the public during this public hearing (Attachment 2C).

The Petaluma Police Department has accepted decommissioned military equipment to acquire equipment needed to protect the public while saving City funds for other projects and programs. The draft AB 481 policy, including Policy 709 and the Petaluma Police Department's AB 418 equipment inventory (Attachments 2A and 2B) provide the information required by AB 481 and a description of each piece of equipment subject to AB 481 in the Police Department's inventory. AB 481 establishes the following fifteen (15) equipment categories:

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 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 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.
11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).
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.

A summary list of equipment in the Petaluma Police Department’s inventory within in the AB 481 equipment categories, along with the year the Department acquired the equipment, is as follows:

- Category 2 - Armored rescue vehicles (2004)
- Category 5 - Command-and-control vehicle (2010)
- Category 10 - Specialized firearms (1977)
- Category 11 - Projectile launchers (1977)
- Category 12 - Flashbang or stun grenades (1977)
- Category 12 - Tear gas/chemical agents (1977)
- Category 14 - Specialty impact munition weapons (2002)

A summary list of AB 481equipment the Petaluma Police Department intends to acquire in the current fiscal year and that is identified for acquisition in the Fiscal Year 22-23 police budget includes:

- Category 1 - Unmanned Aircraft Systems (drones).¹

The equipment in the Petaluma Police Department’s inventory that is subject to AB 481 allows the Police Department to protect both the community and staff during life-threatening incidents. Some of the equipment is specifically intended to help de-escalate and peacefully resolve life threatening situations. With this equipment, the Police Department can safely respond to critical, possibly life-threatening incidents and use less lethal methods for law enforcement. For more

¹ At Council’s direction, the Petaluma Police Department will update its Unmanned Aircraft Systems (drones) policy for City Council approval before acquiring or using the systems.

details on the particular items of equipment and use, please refer to the attached Policy 709 (Attachment 2A) and Inventory List (Attachment 2B).

Any future military equipment purchases would be subject to the City's existing purchasing requirements as well as the requirements of AB 481. The Police Department will assign designated staff to oversee the AB 481 equipment inventory, provide the required annual report, coordinate the annual community meeting and City Council review, and establish and oversee the required complaint procedure.

As was true prior to the enactment of AB 481 and remains true, the Police Department is only interested in acquiring equipment that will assist in safeguarding the public's welfare, safety, civil rights and liberties. AB 481 does not apply to standard issued firearms, such as those deployed daily on the officer's person or in the officer's police vehicle. Attachment 2C provides an inventory of standard issue firearms as well as other standard issue less lethal equipment. Additional information, including prior city council authorizations related to the funding and acquisition of equipment can be found on the Police Department's [website](#).

Link: <https://cityofpetaluma.org/police-department-specialized-equipment/>

In emergency situations that exceed the resources of the City of Petaluma and the Petaluma Police Department, mutual aid can be requested through the Sonoma County Sheriff's Office. If agencies in Sonoma County cannot meet the need of the requesting agency, the Sheriff's Office will request mutual aid from surrounding counties. Information regarding allied agencies in the region and their respective AB 481 equipment is attached as Attachment 2D. All California law enforcement agencies must comply with AB 481, as well as other applicable California laws governing use of force, including Penal Code Section 835, enacted by AB 392, California Use of Force, in 2020. The City of Petaluma Police Department, and other regional law enforcement agencies that provide mutual aid to and receive mutual aid from the City of Petaluma Police Department, are all subject to the same equipment and use of force requirements in AB 481 and 392, and other applicable laws and regulations.

Staff has prepared the attached ordinance (Attachment 1) to City Council for the approval of the City's AB 481 equipment use policy based on the following required findings:

1. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
3. If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
4. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the applicable military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

Following approval of an AB 481 equipment use policy, the Police Department must submit an annual military equipment report. The report must summarize:

1. How the equipment was used and the purpose of the use
2. Any complaints received, the results of any internal audits and any information about violations of the policy and actions taken in response
3. Total annual cost for the equipment
4. Quantity of equipment possessed
5. Quantity of additional military equipment intended to be acquired in the next year

Within 30 days of submitting the annual report, the Police Department must hold at least one community engagement meeting at which the public may discuss and ask questions regarding the report and the City's funding, acquisition, and use of equipment subject to AB 481.

Following adoption of an ordinance approving a military equipment use policy, the City Council must review the ordinance at least annually. At the annual review the City Council will vote on whether to renew the policy and whether the use of each type of military equipment has complied with the findings required for adoption of the military equipment use policy. If the City Council finds that a type of military equipment in the report does not comply with the required findings, the City Council shall either not renew the authorization for that type of equipment or modify the policy to achieve compliance.

PUBLIC OUTREACH

In accordance with AB 481's noticing requirements, on April 18, 2022, the proposed AB 481 policy and inventory were provided to the public under New Business Agenda Item 4B on the City Council meeting agenda and all related documents were posted the same day to the Petaluma Police Department [website](#). The policy was also shared with the public through the City's weekly update and the City's social media channels, including our newly established Spanish language Facebook and Instagram pages.

The Police Department previously responded to community concerns regarding armored rescue vehicles and patrol rifles that had already been acquired during a virtual town hall meeting in June of 2020. Following the meeting, the Police Department provided written responses to the community and posted them on the Police Department [website](#).

Link: <https://cityofpetaluma.org/police-department-specialized-equipment/>

Link: <https://cityofpetaluma.org/petaluma-policing-town-hall-meeting/>

On June 6, 2022, the City Council conducted a Public Hearing on the City's draft AB 481 ordinance. The June 6, 2020, meeting was also on the prior tentative agenda for City Council and this agenda item was noticed in compliance with the California Brown Act.

COUNCIL GOAL ALIGNMENT

The City Council identified "Enhancing Public Safety" as one of its six main goals and achieving "A Safe Community That Thrives" as one of its key strategic initiatives for 2019/2021. Objective #1 seeks to "maintain and enhance public safety and prepare for emergencies and disasters."

CLIMATE ACTION/SUSTAINABILITY EFFORTS

Using existing equipment, when available, reduces the need to manufacture new equipment which reduces the greenhouse gas emissions associated with manufacturing. There are currently no known electric armored rescue vehicles or command and control vehicles on the market.

ENVIRONMENTAL COMPLIANCE

The proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378. Adoption of an ordinance authorizing the police department's use of current and budgeted equipment subject to AB 481 does not meet CEQA's definition of a "project," because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

ALTERNATIVES

There are no alternative considerations associated with this report.

FINANCIAL IMPACTS

The acquisition of drones is currently in progress and budgeted in the current FY22 budget. Staff has also applied for a grant to cover the costs associated with the acquisition of the drones but grant awards have not yet been announced. All other equipment has been in the possession of the Police Department and as such there are no additional financial impacts.

ATTACHMENTS

1. Ordinance No. 2818 N.C.S. (with amendments) pursuant to AB 481
2. A - PPD Policy 709 - Military Equipment Funding, Acquisition, and Use Policy (with amendments)
B - Specific Equipment Inventory (Attachment to PPD Policy 709)
C - Standard Issue Duty and Other Less Lethal Weapons Inventory
D - Allied Agency Equipment Summary
3. Related Petaluma Police Department Policies 300 - Use Of Force, 308 - Control Devices and Techniques, 309 - Conducted Energy Device, 312 - Firearms, 408- Crisis Response Unit, 468 - First Amendment Assemblies, 613 - Unmanned Aerial Systems (Drones, 704 - Vehicle Maintenance, 706 - Vehicle Use
4. Public Hearing Presentation Slides

EFFECTIVE DATE OF ORDINANCE

July 20, 2022

ORDINANCE NO. 2818 N.C.S.

Introduced by: Brian Barnacle

Seconded by: Dennis Pocekay

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA
ADOPTING AND APPROVING PETALUMA POLICE DEPARTMENT'S MILITARY EQUIPMENT
FUNDING, ACQUISITION, AND USE POLICY, IN COMPLIANCE WITH CALIFORNIA
ASSEMBLY BILL NO. 481 (AB 481)**

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (AB 481) (codified in Government Code sections 7070 through 7075.), relating to the use of military equipment as defined in the statute by California law enforcement agencies; and

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used by local police departments; and

WHEREAS, the Petaluma Police Department is in possession of certain items of equipment that qualify as "military equipment" under AB 481; and

WHEREAS, AB 481 requires that a law enforcement agency possessing and using equipment subject to AB 481 must prepare a publicly released, written, Military Equipment Funding, Acquisition, and Use Policy including the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the use of equipment subject to AB 481; and

WHEREAS, the Military Equipment Policies required by AB 481 and supporting information must be adopted by California law enforcement agency governing bodies by ordinance, and be reviewed annually; and

WHEREAS, in compliance with AB 481, on April 18, 2022, the Petaluma Police Department submitted the draft Petaluma Military Equipment Funding, Acquisition, and Use Policy (Policy) to the City Council as City Council agenda Item 4B, and posted the proposed Policy on the City's website for 30 days before the June 6, 2022, public hearing concerning this ordinance; and

WHEREAS, this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378, because adoption of an ordinance authorizing the Petaluma Police department's use of existing and budgeted equipment subject to AB 481 does not meet CEQA's definition of a "project," because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the City Council considered the proposed AB 481 Policy at a duly noticed regular meeting on June 6, 2022 at which time all interested members of the public were provided the opportunity to provide public comment, and introduced this ordinance adopting and approving the Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy, incorporating specified changes to the ordinance and the policy approved pursuant to the ordinance in compliance with California Assembly Bill No. 481.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Petaluma as follows:

Section 1. FINDINGS. The City Council hereby finds:

1. That the foregoing recitals are true and correct and hereby incorporates them into this ordinance as findings and determinations of the City Council.
2. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378. Adoption of an ordinance authorizing the police department's use of existing and budgeted equipment subject to AB 481 does not meet CEQA's definition of a "project," because such administrative action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.
3. The Petaluma Military Equipment Funding, Acquisition, and Use Policy, attached to and made a part of this ordinance as Exhibit 1 and identified as Petaluma Police Policy 709 has been posted on the City's website for at least 30 days commencing on April 18, 2022.
4. The City Council has conducted a public hearing on Policy 709 during a regularly scheduled City Council meeting on June 6, 2022, and considered all written and verbal comments, as well as the report and presentation from staff.
5. The City Council has reviewed Policy 709 and finds that it meets the requirements of State law and is consistent with the public safety provisions of the Petaluma Police Department Policy Manual.

Section 2. PROPOSED MILITARY EQUIPMENT POLICY DETERMINATIONS. The City Council determines that:

1. The military equipment as defined in AB 481 that is identified in Policy 709 is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. The equipment in the City's inventory that is subject to AB 481 is highly specialized equipment. Some of the AB 481 equipment that the City possesses is necessary for addressing extraordinary public safety threats, such as armored vehicles for safely entering active shooter and potential live fire incidents, and mobile command vehicles for such incidents as well as for providing first responder command and control for events such as wildfires and other natural disasters. Other AB 481 equipment that the City possesses or plans to acquire is specialized equipment for addressing extraordinary public safety threats with less than lethal means, such as drones, battering rams, slugs and breaching apparatuses, noise-flash diversionary devices, teargas, and similar non-lethal equipment.
2. Policy 709 will safeguard the public's welfare, safety, civil rights, and civil liberties by restricting the use of AB 481 equipment to circumstances in which use of such equipment is lawful and warranted to protect public safety, and by providing for reporting on the use of AB 481 equipment to ensure compliance with Policy 709.
3. Purchasing and maintaining in inventory the equipment identified in Policy 709 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety. As noted above, the City's AB 481 equipment is highly specialized and intended for extraordinary public safety threats such that there may be no available alternative that can achieve the same safety objectives. Also, much of the equipment was either received from the federal government at no cost or was previously purchased, obviating or reducing the need for new purchases.

4. Prior use of AB 481 equipment by the Petaluma Police Department complied with the policies governing the use of such equipment that were in effect at the time. There is no record of the Petaluma Police Department using equipment subject to AB 481 in a manner that did not comply with the equipment use policies in effect at the time.

Section 3. APPROVAL OF POLICY 709. The City Council of the City of Petaluma approves and adopts Policy 709, which is attached and made a part of this ordinance as Exhibit 1, and directs that:

1. Policy 709 shall be maintained on the Police Department's website page, as long as the Policy is in use.
2. Annually, the Police Department shall hold a well-publicized and conveniently located community engagement meeting regarding Petaluma Police Department Policy 709 and its use of equipment subject to AB 481 pursuant to Government Code section 7072 (b). This annual meeting will be noticed and conducted in accordance with the requirements that apply to legislative bodies under California Brown Act.
3. Annually, the City Council shall review this ordinance, the Policy 709 and the annual military equipment report prepared by the Police Department pursuant to Government Code section 7072, and determine by resolution whether to continue this ordinance and Policy 709 in effect or to modify Policy 709 or initiate the amendment or repeal of this Ordinance or Policy 709. This report will include demographic information including race and ethnicity related to any military equipment use. In addition to the annual report required by statute, the Petaluma Police Department will provide the City Council a quarterly report until July 2023
4. Annually, the City Council shall determine, based on the annual military equipment report submitted pursuant to Government Code section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in AB 481 and this ordinance.
5. Staff shall seek approval from the City Council prior to the acquisition or use of any specialized or military equipment, as defined in Gov't Code section 7070, that is not held in the Police Department's current inventory unless exigent circumstances exist where delaying the acquisition or use of the equipment would jeopardize the safety of the Petaluma community or members of the Police Department. If such circumstances exist, notification of the acquisition or use of the equipment, including a summary of the exigent circumstances preventing the Police Department from giving prior notice, will be provided to the City Council as soon as practicable but no later than 48 hours following the equipment's acquisition or use.
6. This ordinance and Policy 709 shall continue in effect until amended or repealed by ordinance of the City Council.

Section 4. SEVERABILITY. If any part of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each of its provisions irrespective of any part being held invalid.

Section 5. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its adoption by the Petaluma City Council.

Section 6. POSTING/PUBLISHING OF NOTICE. The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines.

INTRODUCED and ordered posted/published this 6th day of June, 2022.

ADOPTED this _____ day of _____, 2022 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Teresa Barrett, Mayor

ATTEST:

APPROVED AS TO FORM:

Kendall Rose, CMC, City Clerk

Eric Danly, City Attorney

Military Equipment Funding, Acquisition, and Use Policy

709.1 PURPOSE AND SCOPE

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

709.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the Department.

California Government Code defined "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.
- 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 of 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.

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

709.2 POLICY

It is the policy of the Petaluma Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

709.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department 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 governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as, or is defined 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.
- (c) Conducting an inventory of all equipment defined as military per the California Government Code or requiring additional oversight by council direction, at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Petaluma Police Department (Government 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 ensuring that the report is made available on the department website (Government Code § 7072).
- (g) 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.

709.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

See Attached Military Equipment Inventory-

709.5 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 insure the proposed military equipment policy is

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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.

709.6 COORDINATION WITH OTHER JURISDICTIONS

Governing body specific equipment or military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid and any such mutual aid shall be coordinated under unified command and control of the Petaluma Police Department.

709.7 USE IN EXIGENT CIRCUMSTANCES

In exigent circumstances and with the approval of the Chief of Police or designee, military equipment may be deployed from outside entities to promote the safety and security of community members. If the Police Department acquires, borrows, or uses military equipment in exigent circumstances, it will provide written notification of the acquisition or use to the City Council as soon as practicable no later than forty eight (48) hours following the commencement of such exigent circumstance, except as prohibited by law.

709.8 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 quarterly within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

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The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use (Government Code § 7072). The annual military equipment report will include the following information for the immediately preceding calendar year for each type of military equipment in department inventory.

1. A summary of how the military equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the military equipment.
3. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
4. A comprehensive fiscal report on 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. The report will include a justification for the AB 481 equipment in inventory, related costs based on need and potential use, and the options of resources that may provide the same level of safety.
5. The quantity possessed for each type of military equipment, when it was purchased, and when it was replaced.
6. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
7. Demographic information including race and ethnicity related to any military equipment use.
8. A comprehensive report on other pending Department program and equipment needs.

The Petaluma City Council will use the Annual Report as a mechanism to insure the Petaluma Police Department's compliance with this Military Equipment Policy, and to help it determine whether to approve, revise, or revoke components of the Military Equipment Policy for the subsequent year. Following the adoption of the ordinance on June 20, 2022, and for a period not to exceed one year, the Police Department will produce the report quarterly by October 1, 2022, January 1, 2023, May 1, 2023, and July 1, 2023. The report will then be provided annually to the City Council as part of the annual budget process.

The Chief of Police or the authorized designee shall also 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 information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

709.9 COMMUNITY ENGAGEMENT

The Petaluma Police Department complied with California Assembly Bill Number 481 May 1, 2022 deadline by giving Public Notice of a draft of this policy and the specified equipment inventory at the City Council meeting on April 18, 2022 when Public Hearing was announced for June 6, 2022. The Public Hearing on June 6, 2022 the Petaluma City Council introduced Ordinance No. 2818

Petaluma Police Department

Policy Manual

Military Equipment Funding, Acquisition, and Use Policy

N.C.S. of the City Council approving Petaluma Police Department's Military Equipment Funding, Acquisition, and Use Policy, in Compliance with California Assembly Bill Number 481.

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 held in accordance with the Brown Act requirements, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

709.10 PUBLIC COMPLAINTS

Pursuant to California Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions about the use of each specific type of equipment in this policy by any of the following means:

- (a) Via email to: PetalumaPoliceEquipment@cityofpetaluma.org
- (b) Via phone call to: 707-778-4372
- (c) Via mail sent to: Petaluma Police Department, 969 Petaluma Blvd. N., Petaluma, CA 94952

The Petaluma Police Department is committed to responding to complaints, concerns and/or questions received through any of the above methods in a timely manner. Additional, information regarding military equipment will be posted publicly on the city website at <https://cityofpetaluma.org/police-department-specialized-equipment/>

City of Petaluma - Police Department										Staff Report - Military Equipment Funding, Acquisition, and Use Policy				
City Council Public Hearing										AB481 Specific Equipment Inventory - Attachment 2B				
June 6, 2022														
AB 481 Specified Category	Description	Purpose	Authorized Use	Capabilities	Law and Policy	Inventory	Intend to Acquire	Acquisition/ Lifespan	Used	Manufacturer's Description	Fiscal Impact (Cost/Maintenance)	Training	Compliance	Prior Use Military
Category 1: Unmanned, remotely piloted, powered aerial or ground vehicles.														
Unmanned Aerial Systems	Small unmanned aerial drone.	The ability for law enforcement to conduct search and rescue operations for missing persons or injured persons during emergencies or disasters, search for suspects in open spaces or inside structures where it would otherwise be unsafe for officers to enter, respond to and monitor emergency scenes and criminal activity for first responders, large special events for public safety monitoring.	Emergency crime and traffic scenes and other hazardous situations requiring aerial view for situational awareness, search and rescue missions, and search and apprehension of suspects.	Video surveillance capabilities with 30 minute flight time per battery, maximum transmission distance 3-10 km based on surroundings	FAA Regulations PPD Policy 613-Unmanned Aerial Systems (UAS)	0	3	2022 3-5 years	0	No current inventory to report, however allied agencies do have active UAS Programs which are available to be utilized by the Petaluma Police Department through mutual aid request. The Petaluma Police Department has also applied for homeland security grant funding to develop and implement a UAS program.	\$25,000 initial cost; \$500 annual maintenance	FAA Certification Agency sponsored training course; Monthly individual training; Quarterly team training.	Watch Commander Authorization After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Category 2: Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.														
Armored Rescue Vehicle Mine Resistant Armored Personnel Carrier (MRAP)	Armored, wheeled vehicle. Black, reflective Petaluma PD markings and red/blue lights. Equipped with a siren. Can hold a driver, equipment, and 10-12 passengers.	Provides officers with armor (ballistic and explosive) protection for transport, delivery, or rescue of officers or civilians when confronting suspects who are armed or known to be armed. Rescue capability in natural and man made disasters (fires, floods, earthquake) where other emergency vehicles have limited access or protection.	To provide for the safe transport, security, and rescue of agency personnel and community members in high-risk incidents and emergencies.	Range 100 mi. Armor rated to exceed .50 cal. Rescue Vehicle	PPD Policies 408-Crisis Response 704-Vehicle Maintenance 706-Vehicle Use	1	0	2002 2017 (Military) 25 years	3.4/year	6-wheeled personnel carrier with ballistic glass and armor rated to exceed .50 caliber.	Actual Cost \$750,000 Cost to City: \$0.00 LESO 1033 Program. Replacement cost of \$400,000. Annual maintenance cost of approximately \$5,000	Agency-authored orientation course; certified driver training course; annual refresher	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	Yes
Armored Rescue Vehicle Mine Resistant Ambush Protected All-Terrain Vehicle (M-ATV)	Armored, wheeled vehicle. Black, reflective Petaluma PD markings and red/blue lights. Equipped with a siren. Can hold a driver, equipment, and 3 passengers.	Provides officers with armor (ballistic and explosive) protection for transport, delivery, or rescue of officers or civilians when confronting suspects who are armed or known to be armed. Rescue capability in natural and man made disasters (fires, floods, earthquake) where other emergency vehicles have limited access or protection.	To provide for the safe transport, security, and rescue of agency personnel and community members in high-risk incidents and emergencies.	Range 100 mi. Armor rated to exceed .50 cal. Rescue Vehicle	PPD Policies 408-Crisis Response 704-Vehicle Maintenance 706-Vehicle Use	1	0	2002 2017 (Military) 25 years	1/year	Four-wheeled personnel carrier with ballistic glass and armor rated to exceed .50 caliber.	Actual Cost \$450,000 Cost to City: \$0.00 LESO 1033 Program. Replacement cost of \$350,000. Annual maintenance cost of approximately \$5,000	Agency-authored orientation course; certified driver training course; annual refresher	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	Yes
Category 5: Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.														
Mobile Command Vehicle: Freightliner	40 foot double axle vehicle. White and black with reflective Petaluma Police markings. Equipped with a siren and red/blue lights.	Mobile incident command post provides command and control for critical emergency incidents, special events, community engagement, or special operations with digital radio, video, data systems in the field and serves as backup system in the event main police facility 911 center goes down due to man made or natural disasters	Unified mobile command, control, and communications for emergencies, investigation scene processing, special operations and events. May be used at community events as requested and appropriate.	Mobile command and control in the field that supports field personnel, communications, and equipment.	PPD Policies 408-Crisis Response 704-Vehicle Maintenance 706-Vehicle Use	1	0	2010 20 years	CRU 3.4/yr SWAT 3.4/yr Special Events 2/yr Community Events 4/yr Spc Ops 6/yr	Custom built 40 foot double axel mobile command vehicle	Purchased in 2010 with a \$462,000 Office of Traffic Safety Grant and \$100,000 Homeland Security Grant. \$10,000 annual maintenance costs.	Agency-authored orientation course; annual refresher.	Requires Watch Commander authorization. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Category 7: Battering rams, slugs, and breaching apparatuses that are explosive in nature.														
Breaching Projectiles: Safariland Tactical Breaching Round Model TKO	12 gauge ballistic breaching round used to defeat a variety of locking mechanisms and door hinges of exterior and interior doors.	Breaching rounds are used to gain access into locked or barricaded structures when immediate access is necessary to confront armed suspects or rescue injured persons when failure to act would risk death or serious bodily injury.	To breach entrances beyond the capabilities of hand held / impact methods.	Operational range 0-1 foot	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 312-Firearms 408-Crisis Response Unit	25	0	2002 5 years	0	Ballistic breaching round used to defeat a variety of locking mechanisms and door hinges of exterior and interior doors.	\$150 initial purchase for duty projectiles, less than \$50 per year for on going cost	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Category 10: Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined, with the exception of standard issue service weapons and ammunition.														
SWAT Sniper Rifle Remington 700	.308 Caliber bolt action rifle	Sniper/observer teams consist of two SWAT members and serve as a source of on scene intelligence typically observed from a safe position of cover and concealment and often from a distance. Team possesses specialized weapons for precision deadly force options to stop an armed suspect and protect innocent civilians.	Precision Rifle team use. Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Operational range 0-1000 yards	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 312-Firearms 408-Crisis Response Unit	3	0	1977 15 years	0	Precision .308 caliber, bolt action rifle	\$4,000 each initial cost, \$50 yearly maintenance	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No

SWAT Sniper Rifle Spartan A3	.308 Caliber bolt action rifle	Sniper/observer teams consist of two SWAT members and serve as a source of on scene intelligence typically observed from a safe position of cover and concealment and often from a distance. Team possesses specialized weapons for precision deadly force options to stop an armed suspect and protect innocent civilians.	Precision Rifle team use. Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Operational range 0-1000 yards	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 312-Firearms 408-Crisis Response Unit	1	0	1977 15 years	0	Precision .308 caliber, bolt action rifle (left handed action)	\$6,500 each initial cost, \$50 yearly maintenance	Agency-authored orientation course; POST certified training course; monthly refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Sniper Rifle Tikka T3	6.5mm Creedmoor bolt action rifle	Sniper/observer teams consist of two SWAT members and serve as a source of on scene intelligence typically observed from a safe position of cover and concealment and often from a distance. Team possesses specialized weapons for precision deadly force options to stop an armed suspect and protect innocent civilians.	Precision Rifle team use. Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Operational range 0-1000 yards	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 312-Firearms 408-Crisis Response Unit	4	0	1977 15 years	0	Precision 6.5mm Creedmoor caliber, bolt action rifle	\$1,623.75 each initial cost, \$50 yearly maintenance	Agency-authored orientation course; POST certified training course; monthly refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Sniper Munitions 6.5mm Creedmoor caliber rounds	6.5mm caliber rounds (Precision Rifle Rounds)	Long distance round for Sniper/Observer teams specialized firearms	Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Operational range 0-1000 yards	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 312-Firearms 408-Crisis Response Unit	2600	0	1977 N/A	0	6.5mm Creedmoor caliber rounds	\$27 per 20 rounds.	Initial orientation course including qualification; annual recertification including qualification.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Sniper Munitions ..308 caliber rounds	.308 caliber rounds (Precision Rifle Rounds)	Long distance round for Sniper/Observer teams specialized firearms	Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Operational range 0-1000 yards	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 312-Firearms 408-Crisis Response Unit	500	0	1977 N/A	0	.308 caliber rounds	\$39 per 20 rounds.	Initial orientation course including qualification; annual recertification including qualification.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Category 12: "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray														
SWAT Diversionary Device Defense Technology Low-Roll Flash Bang	Diversionary Device	To distract, disorient, and divert attention of armed suspect(s) prior to making entry to apprehend suspect or rescue officers or innocent civilians.	Distraction / diversionary device for high-risk situations or to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Approx. 175db at 5 feet	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	25	0	1977 N/A	(1) 2005 (2) 2018	A non-bursting, non-fragmenting multi-ported bang device that produces a thunderous bang with an intense bright light.	\$52 each, no ongoing costs.	Agency-authored orientation course; POST certified training course; annual refresher..	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Tear Gas Grenade Launching Cup Defense Technology #1350	Reloadable 12 gauge chemical agent launching cup (housing unit only)	To deliver chemical agents pursuant with current law and policy.	For the delivery of chemical agents listed below.	N/A	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	2	0	1977 5 years	0	The reloadable launching cup can be equipped with chemical agents, such as OC or CS canisters, providing the opportunity to project further than hand delivery.	\$200 each, replacements cost when needed.	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Tear Gas Grenade Defense Technology Riot Control Continuous Discharge CS Grenade Outdoor #1082	CS chemical agent canister thrown or discharged via department approved delivery system.	To distract, disorient, and divert attention of armed suspect(s) prior to making entry into an area to apprehend suspect(s) or rescue officers or innocent civilians in riot/crowd control situation.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range up to 450 feet (Outdoor)	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	20	0	1977 5 years	0	High volume continuous discharge canister for outdoor use that expels 2.7oz of active chemical agent in 20-40 seconds.	\$25 each.	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No

SWAT Tear Gas Grenade Defense Technology Flameless Tri-Chamber CS Grenade Indoor #1032	CS chemical agent canister thrown or discharged via department approved delivery system.	To distract, disorient, and divert attention of armed suspect(s) prior to making entry to apprehend suspect or rescue innocent civilians or force suspect(s) to exit and surrender from enclosed structures or vehicles.	Agency approved less lethal and chemical rounds to be used in accordance to policy in high risk and volatile situations.	Operational range up to 450 feet (Indoor)	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit	10	0	1977 5 years	(1) 2006	High volume continuous discharge canister for indoor use that expels 0.7oz of active chemical agent in 20-25 seconds.	\$45 each.	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Tear Gas Grenade Defense Technology Flameless Expulsion CS Grenade Indoor #2042	CS chemical agent canister thrown or discharged via department approved delivery system.	To distract, disorient, and divert attention of armed suspect(s) prior to making entry to apprehend suspect or rescue innocent civilians or force suspect(s) to exit and surrender from enclosed structures or vehicles.	Agency approved less lethal and chemical rounds to be used in accordance to policy in high risk and volatile situations.	Capable of deployed up to 450 feet (Indoor)	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit	6	0	1977 5 years	0	Non-pyrotechnical canister for indoor use that expels 0.16oz of active chemical agent through a confined area of up to 1,500 sq feet in 3 seconds.	\$32 each.	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
SWAT Smoke Only Grenade Defense Technology Maximum HC Smoke Canister Outdoor #1083	Smoke canister thrown or discharged via department approved delivery system.	To distract, disorient, and divert attention of armed suspect(s) prior to making entry into an area to apprehend suspect(s) or rescue officers or innocent civilians in riot/crowd control situations. May be used to determine wind and speed for chemical agent deployments.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range up to 450 feet (Outdoor)	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	4	0	1977 5 years	0	High volume continuous discharge canister for outdoor use that emits grey-white smoke only for approximately 1-2 minutes.	\$26	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Category 14: Projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.														
Less Lethal Weapon SWAT 40mm Multi-Round Launcher Defense Technology Impact Device #1440	Double-action, single shot, six round 40 mm less lethal weapon	Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range up to 40 yards	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	1	0	1977 15 years	0	A double-action, multi-shot, 40mm delivery system. Designed to discharge 40mm less lethal munitions	\$1,925 initial purchase, \$50 annual maintenance costs.	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Less Lethal Weapon Patrol 40mm Single Round Launcher Defense Technology Impact Device #1425	Double action, single shot 40mm less lethal weapon	Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range up to 40 yards	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	8	0	1977 25 years	(1) 2019	A double-action, single shot, 40mm delivery system. Designed to discharge 40mm less lethal munitions	\$740 initial purchase each, \$50 annual maintenance costs.	Agency-authored orientation course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
40mm Munitions Patrol Kinetic Energy Projectile Defense Technology Impact Round Exact Impact Sponge #6325	40mm, foam-tipped kinetic energy munition discharged from an agency-authorized 40mm delivery device.	Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range 5-120 ft.	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	100	0	1977 5 years	(1) 2019	40mm foam-tipped projectile capable of traveling 325 fps to a maximum range of 120 feet.	\$25 each and approximately \$1000 yearly for training projectiles	Initial orientation course including qualification; annual recertification including qualification.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
40mm Munitions SWAT Kinetic Energy Projectile Defense Technology Impact Round Multiple Rubber Baton #6064	40mm, multiple rubber kinetic energy munition discharged from an agency-authorized 40mm delivery device.	Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range 30-60 ft.	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	10	0	1977 5 years	0	40mm round containing three 1.1oz rubber projectiles capable of traveling 260 fps to a maximum range of 60 feet.	\$24.35 each	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No

40mm Munitions SWAT Kinetic Energy Projectile Defense Technology Impact Round Stinger 32 Caliber Rubber Balls #6296	40mm, multiple rubber kinetic energy munition discharged from an agency-authorized 40mm delivery device.	Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range 15-30 ft.	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	6	0	1977 5 years	0	40mm round containing one hundred and thirty 0.1oz rubber projectiles capable of traveling 300 fps to a maximum range of 30 feet.	\$24.35 each	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
40mm Munitions SWAT Kinetic Energy Projectile Defense Technology Direct Impact Chemical Agent Oleoresin Capsicum (OC) Pepper Spray #6320	aka 40mm, crushable foam-tipped kinetic energy munition discharged from an agency-authorized 40mm delivery device which dispenses 5 grams of OC irritant upon impact.	Chemical agents are generally exclusively used by trained members of a SWAT Team. Generally, during high risk tactical situations or incidents chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to the public, police, and the subject(s). Chemical agents can also be used to prevent an armed subject(s) from accurately firing at members of the public and/or officers. They can also be used in limited instances during civil unrest or riots to disperse violent crowds.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range 5-120 ft.	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	25	0	1977 5 years	0	40mm crushable foam-tipped projectile containing OC irritant capable of traveling 295 fps to a maximum range of 120 feet.	\$30 each	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
40mm Munitions SWAT Kinetic Energy Projectile Defense Technology Direct Impact Chemical Agent 0-chlorobenzylidenemalononitrile (CS) #6322	40mm, crushable foam-tipped kinetic energy munition discharged from an agency-authorized 40mm delivery device which dispenses 5 grams of CS irritant upon impact.	Chemical agents are generally exclusively used by trained members of a SWAT Team. Generally, during high risk tactical situations or incidents chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to the public, police, and the subject(s). Chemical agents can also be used to prevent an armed subject(s) from accurately firing at members of the public and/or officers. They can also be used in limited instances during civil unrest or riots to disperse violent crowds.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range 5-120 ft.	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	25	0	1977 5 years	0	40mm crushable foam-tipped projectile containing CS irritant capable of traveling 295 fps to a maximum range of 120 feet.	\$30 each	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
40mm Munitions SWAT Kinetic Energy Projectile Defense Technology Chemical Agent Ferrett Liquid Barricade Penetrator 0-chlorobenzylidenemalononitrile (CS) #2262	40mm, crushable tipped kinetic energy munition discharged from an agency-authorized 40mm delivery device used to penetrate barriers such as windows and hollow core doors to dispense liquid CS irritant.	Chemical agents used by trained SWAT members in high risk tactical situations or incidents to dislodge a suspect from a stronghold location with the least possible danger to the public, police, and the suspect. Barricade penetrator munitions (ferret) can be used to introduce a chemical agent into a building or through a window via the less lethal 40mm launcher. Chemical agents can also be used to prevent an armed subject(s) from accurately firing at members of the public and/or officers.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Breaching round through walls, doors, and windows. Operational range 162 feet	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit	12	0	1977 5 years	0	40mm crushable tipped projectile containing CS irritant capable of traveling 295 fps to a maximum range of 162 feet.	\$20 each	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
40mm Munitions SWAT Kinetic Energy Projectile Defense Technology Chemical Agent Ferrett Powder Barricade Penetrator 0-chlorobenzylidenemalononitrile (CS) #2292	40mm, crushable tipped kinetic energy munition discharged from an agency-authorized 40mm delivery device used to penetrate barriers such as windows and hollow core doors to dispense powder CS irritant.	Chemical agents are generally exclusively used by trained members of a SWAT Team. Generally, during high risk tactical situations or incidents chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to the public, police, and the subject(s). Barricade penetrator munitions can be used to introduce a chemical agent into a building or through a window via the less lethal 40mm munition. Chemical agents can also be used to prevent an armed subject(s) from accurately firing at members of the public and/or officers.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Breaching round through walls, doors, and windows. Operational range 162 feet	AB392 Use of Force Penal Code 835 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit	10	0	1977 5 years	0	40mm crushable tipped projectile containing CS irritant capable of traveling 295 fps to a maximum range of 162 feet.	\$20 each	Agency-authored orientation course; POST certified training course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No
Less Lethal Weapon SWAT/Patrol Remington 870 Bean Bag Shotgun	12 Gauge pump-action Shotgun Orange Stock Utilized Less Lethal Delivery System	as The clearly marked less lethal delivery system used to deploy "bean bag" rounds. Serves as a less lethal force option used to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Single round bean bag	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	27	0	2002 10 years	2/year	Single shot pump-action.	\$400 each, \$50 annual maintenance costs.	Agency-authored orientation course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No

Less Lethal Munitions SWAT/Patrol Kinetic Energy Projectile 12 Gauge Safariland drag stabilizing "bean bag" round	12 Gauge cotton sock discharged from an agency-authorized 12 gauge clearly marked less lethal shotgun	Less lethal force option used to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.	To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.	Operational range 5-75 ft.	AB392 Use of Force Penal Code 835 Penal Code 13652 PPD Policies 300-Use of Force 308-Control Devices 408-Crisis Response Unit 468-Assemblies	300	0	2002 N/A	2/year	12ga fiber bag filled round capable of traveling 270-290 fps.	\$5 per round.	Agency-authored orientation course; annual refresher.	Operational use under the review of the SWAT Commander or appropriate team supervisor. After Action Review (AAR) Complaint/Question Process Available On-Line Annual 481 Report	No

City of Petaluma - Police Department										Staff Report - Military Equipment Funding, Acquisition, and Use Policy				
City Council Public Hearing										Standard Issue Duty Weapons and Other Less Lethal Force Options - Attachment 2C				
June 6, 2022														
Type	Description	Purpose	Authorized Use	Capabilities	Law and Policy	Current Inventory	Intend to Acquire	Acquired/ Lifespan	Used	Manufacturer's Description	Fiscal Impact	Training	Compliance	Prior Use Military
Standard Issue Duty Firearms														
Patrol Handgun Glock 9mm Models 17/19	9mm Standard Issue Duty Patrol Handgun	For officers to protect themselves or others when faced with imminent threat of death or serious bodily injury within close distance.	Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Single Round Semi-Automatic	CA Penal Code 835 PPD Policy 300 PPD Policy 312	87	0	1858 Revolver 1985 Semi-Auto 2004 Glock 10 years	(1) 1998 (1) 2005 (1) 2018	Handheld semi-auto 9mm pistol	\$481 each for initial purchase \$50 yearly maintenance	POST Basic Academy Quarterly and Annual Qualifications	Use is subject to Use of Force Review under CA Penal Code 835 PPD Policy 300 PPD Policy 312	No
Patrol Rifle Sig Sauer M400	.223 caliber Standard Issue Duty Patrol Rifle	For officers to protect themselves or others when faced with imminent threat of death or serious bodily injury at longer distances or when faced with suspect(s) armed with a firearm.	Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Single Round Semi-Automatic	CA Penal Code 835 PPD Policy 300 PPD Policy 312	73	0	1999 10 years	(1) 2018	AR-15 semi-automatic gas operated rifle	\$798.70 each. \$50 yearly maintenance	POST Police Academy and Annual Department Qualification POST certified Patrol Rifle Course, and annual refresher.	Use is subject to Use of Force Review under CA Penal Code 835 PPD Policy 300 PPD Policy 312	No
Patrol Shotgun Remington 870	12 Gauge Stand Issue Duty Shotgun	For officers to protect themselves or others when faced with imminent threat of death or serious bodily injury or when faced with suspect(s) armed with a firearm.	Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.	Single Round Manual Cycle	CA Penal Code 835 PPD Policy 300 PPD Policy 312	9	0	1895 25 years	0	Pump action 12 gauge shotgun	\$500 each. \$50 yearly maintenance	POST Police Academy and Annual Department Qualification	Use is subject to Use of Force Review under CA Penal Code 835 PPD Policy 300 PPD Policy 312	No
Other Less Lethal Force Options														
Patrol Taser Models X26/X26P	Handheld conducted energy device (CED)	For officers to protect themselves or others or to safely control individuals who are violent or demonstrating intent to be violent.	Officers may use conductive energy devices to protect themselves or others or to control individuals who are violent or demonstrating intent to be violent.	Effective within 21 feet	CA Penal Code 835 PPD Policy 300 PPD Policy 309	72	72	2000 10 years	5/year	Battery operated handheld energy device	\$1,500 each.	Agency-authored orientation course; annual refresher.	Use is subject to Use of Force Review under CA Penal Code 835 PPD Policy 300 PPD Policy 309	No

**Policy
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300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

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The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.2.2 FAIR AND UNBIASED USE OF FORCE

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)). See the Bias-Based Policing Policy for additional guidance.

300.2.3 DUTY TO REPORT EXCESSIVE FORCE

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall immediately report these observations to a supervisor (Government Code § 7286(b)).

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.2.4 FAILURE TO INTERCEDE

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law, may be disciplined in the same manner as the officer who used force beyond that which is necessary (Government Code § 7286(b)).

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

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Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).

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- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, bystanders, and others.
- (n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the subject or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

Officers of this department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

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300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Petaluma Police Department for this specific purpose.

300.3.6 ALTERNATIVE TACTICS - DE-ESCALATION

Various degrees or levels of force are commonly recognized and practiced by law enforcement officers. Sometimes called Force Options, they range from the lowest level to the highest level and are generally grouped in order of the probability of injury or death to the suspect.

- (a) Low level: uniform presence, verbal commands, demeanor, firm grip or gesture, physical control, control holds, deployment of K9 for visual or audible display, and pain compliance.
- (b) Medium level: personal body weapons (PBWs), control and impact devices, deployment of K9 for apprehension of a suspect, chemical agent, and electronic control device.
- (c) High level: Lethal force/firearms.

Officers are not required to progress through the levels of force one level at a time. An assessment of the specifics of each situation may indicate to the officer that a particular level of force may be ineffective or inappropriate and another level of force would be more effective or appropriate.

Officers shall assess the incident in order to determine which option will best de-escalate the incident and bring it under control in a safe manner.

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

- (a) Attempts to de-escalate a situation.

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- (b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

300.3.7 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Officers of this department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

300.3.8 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or pre-existing medical conditions. While it is impractical to restrict an officer's use of reasonable control methods when attempting to restrain a combative individual, officers are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once controlled, the individual should be placed into a recovery position (e.g., supine or seated) and monitored for signs of medical distress (Government Code § 7286.5).

300.4 DEADLY FORCE APPLICATIONS

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

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An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

- (a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- (b) If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the officer no longer perceives such threat.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATION TO SUPERVISORS

Any use of force by an officer shall be reported immediately to a supervisor, including but not limited to the following circumstances (Penal Code § 832.13):

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- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of a TASER device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) Any application of chemical agents.
- (h) Any application of impact weapons to include less lethal devices.
- (i) Any deployment of a K9 for apprehension.
- (j) The individual subjected to the force was rendered unconscious.
- (k) An individual was struck or kicked.
- (l) An individual alleges unreasonable force was used or that any of the above has occurred.

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.5.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Team Policy.

300.6 MEDICAL CONSIDERATION

Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a

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description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) If any aspect of the use of force investigation reveals exculpatory information, the supervisor shall complete a supplemental report noting that information.
- (e) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (f) Identify any witnesses not already included in related reports.
- (g) Review and approve all related reports.
- (h) Determine if there is any indication that the subject may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

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- (i) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

Use of force incidents that meet any of the below listed criteria require a supervisory investigation and report.

- (a) An officer strikes a subject with an object or personal body weapon;
- (b) An officer uses force which causes any visible or apparent physical injury, or which results in the subject claiming he or she was injured;
- (c) An officer uses chemical agents on a subject;
- (d) An officer uses an electronic control device on a subject;
- (e) An officer uses a less lethal projectile on a subject;
- (f) A police canine bites or injures a subject;
- (g) Any use of force which renders a subject unconscious;
- (h) Any other incident the Sergeant or Watch Commander deems a use of force report is necessary.

300.7.1 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy.

300.8 TRAINING

Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Subject to available resources, the Training Manager should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.
- (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

See the Training Policy for restrictions relating to [officers/deputies] who are the subject of a sustained use of force complaint.

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300.9 USE OF FORCE ANALYSIS

At least annually, the Patrol Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

300.10 POLICY REVIEW

The Chief of Police or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

300.11 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

300.12 POLICY AVAILABILITY

The Chief of Police or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.13 PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code § 7286(b)).

Control Devices and Techniques

308.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

308.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Petaluma Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Officers may only carry and use those control devices for which they have received and successfully completed department-approved training.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

308.4 RESPONSIBILITIES

308.4.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a ballistic or projectile-based control device by selected personnel, or members of specialized units who have successfully completed the required training for that device.

308.4.2 RANGEMASTER RESPONSIBILITIES

The Rangemaster shall control the inventory and issuance of all ballistic or projectile-based control devices (for example, pepperball guns, "bean bag" shotguns, gas projectile weapons, etc.) and shall ensure that all damaged, inoperative, outdated or expended control devices or control device munitions are properly disposed of, repaired or replaced.

Every ballistic or projectile-based control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. Records of the inspection will be retained by the Rangemaster, identifying any deficiencies with the control devices and corrective action taken.

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308.4.3 USER RESPONSIBILITIES

All normal maintenance of ballistic or projectile-based control devices shall be the responsibility of the Rangemaster or his/her designee. shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or control device munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

308.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers shall only carry and use batons issued by the Petaluma Police Department, or privately purchased batons that have been authorized for use by the Petaluma Police Department and inspected by the Petaluma Police Department's Defensive Tactics Supervisor. Officers may not carry or use batons for which they have not received and successfully completed department-approved training. Officers wishing deploy a personally-owned baton for duty use must first make a written request through their chain of command, describing the make, model, dimensions, material/composition, and color of the baton. Appearance of batons should be consistent with those issued by the Petaluma Police Department. The Chief of Police or his/her designee shall grant or deny the request to carry and use a non-department issued baton.

When carrying a baton, uniformed personnel shall carry the baton in its authorized/designed holder (for example, ASP holder or baton ring) on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

308.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of tear gas by appropriately trained/authorized personnel, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

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308.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

308.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its authorized/designed holster on the equipment belt. Officers shall only carry and deploy OC spray issued by the Petaluma Police Department. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

308.7.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented in accordance with use of force policy. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

308.7.3 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

308.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

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308.9 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 in an attempt to de-escalate a potentially deadly situation.

308.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

308.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

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Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

308.9.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

308.10 TRAINING FOR CONTROL DEVICES

The Training Coordinator shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

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308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

309.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER devices.

309.2 POLICY

The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

309.3 ISSUANCE AND CARRYING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.
- (c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.
- (d) Officers should not hold both a firearm and the TASER device at the same time.

309.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

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If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

309.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

309.5.1 APPLICATION OF THE TASER DEVICE

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

309.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.

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- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

309.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

309.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

309.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all TASER device discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence.

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The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

309.5.6 DANGEROUS ANIMALS

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

309.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

309.6 DOCUMENTATION

Officers shall document all TASER device discharges in the related arrest/crime report. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges will also be documented in the related arrest/crime report.

309.6.1 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing TASER devices
- (b) Any verbal or other warnings or the reason a warning was not given
- (c) Identify and interview all witnesses
- (d) Medical care provided to the subject
- (e) Observations of the subject's physical and physiological actions
- (f) Any known or suspected drug use, intoxication or other medical problems
- (g) Photographs of probe sites should be taken
- (h) Whether the subject sustained any injuries
- (i) Whether any officers sustained injuries
- (j) The range at which the TASER device was used
- (k) The type of mode used (probe or drive-stun)
- (l) Location of any probe impact

The supervisor of any officer who deploys a Taser device shall complete a use of force incident report and forward it to their respective watch commander.

309.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used

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TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

309.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor shall respond to all incidents where the TASER device was activated.

A supervisor shall complete a use of force incident report where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by the officer, unless the device is taken for evidence. Photographs of probe sites should be taken and witnesses interviewed.

309.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

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Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Manager. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Manager is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Manager should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.

Firearms

312.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

312.2 POLICY

The Petaluma Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Petaluma Police Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Petaluma Police Department and have been thoroughly inspected by the Rangemaster or designated Firearms Instructor. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department-approved range.

All other weapons not provided by the Petaluma Police Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Division Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

312.3.1 HANDGUNS

The authorized department-issued handgun is the 9MM Glock Model 17 or 19. The following additional handguns are approved for on-duty use for Administration, Investigations and Undercover or Plain Clothes Assignments.

MODEL	CALIBER
G26	9MM
G26	9MM Gen 4
G26	9MM Gen 5
G43	9MM
G43X	9MM

Department personnel requesting to purchase a firearm for off-duty use must first obtain written permission from the Chief of Police or his/her designee. Written requests to purchase a personally-

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owned weapon for off-duty use must be in memorandum form and submitted to the Support Services Lieutenant. The memorandum must specify the make, model, caliber, and other specifications (including accessories) of the firearm the department member wishes to purchase. If the request is approved, the department member must qualify with the weapon under the supervision of a Firearms Instructor and demonstrate safe handling and proficiency before it can be used for off-duty purpose..

312.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington 870 12-gauge.

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle with the magazine loaded, the action closed on an empty chamber, the trigger pulled to release the hammer and the safety in the safe position.

312.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the Bushmaster, Sig Sauer, or comparable equivalent as determined by the Rangemaster and approved by the Chief of Police. All patrol rifles approved for duty use must be US-made by a reputable manufacturer.

The approved Bushmaster model is the XM15-E2S.

The approved Sig Sauer model is the M400 PRO.

Department personnel requesting to purchase a personally-owned patrol rifle for on-duty use must first obtain written permission from the Chief of Police or his/her designee. Written requests to purchase a personally-owned rifle for on-duty use must be in memorandum form and submitted to the Rangemaster. The memorandum (with Rangemaster input) will then be forwarded to the appropriate Division Commander. The memorandum must specify the make, model, caliber, and other features, specifications and accessories of the rifle the department member wishes to purchase for on-duty use. The memorandum must also include the reason the department member wishes to use the requested weapon in lieu of a standard department-issued weapon. If the request is approved, the department member must qualify with the weapon under the supervision of a Firearms Instructor and demonstrate safe handling and proficiency before it can be used on duty. In addition the department member shall complete the following prior to qualifying with the rifle or using it on duty:

- a. The rifle must be properly registered with the Department of Justice and have a DOJ assigned Assault Weapon (AW) number.
- b. Complete a Personal Firearm Authorization Form and attach a copy of the DOJ AW Registration Confirmation Letter. The form with attached paperwork is to be submitted to the Rangemaster, who will then forward to the appropriate Division Commander.
- c. Qualify with the weapon under the supervision of a Firearms Instructor and demonstrate safe handling and proficiency.

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Members may deploy the patrol rifle in any circumstance where the member 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:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

Patrol Car / Transport Carry

Also known as "Patrol Car Ready". The rifle shall be configured in this manner when in the vehicle rack: The bolt is forward/closed on chamber with no live ammunition, but containing a Rangemaster-approved ejectable gun chamber plug (SAF-T-ROUND brand or Rangemaster-approved equivalent). The safety is "ON" (which requires the hammer to be cocked). The tab of the ejectable gun chamber plug is visible protruding through the ejection port. A full magazine is inserted and locked in place.

To load the rifle in this condition:

1. Muzzle is pointed in a safe direction with the safety "ON" and trigger finger indexed.
2. Remove the magazine.
3. Open the action and lock the bolt to the rear.
4. Visually and physically inspect the chamber to ensure the weapon is free of live ammunition.
5. Insert a Rangemaster-approved ejectable gun chamber plug (SAF-T-ROUND brand or Rangemaster-approved equivalent) into the rifle chamber
6. Close the bolt on the chamber containing the ejectable gun chamber plug, with the tab of the plug protruding through the ejection port.
7. Seat a fully loaded magazine into the rifle. REMEMBER TO PUSH/PULL THE MAGAZINE TO ENSURE IT IS PROPERLY SEATED IN THE MAGAZINE WELL.

Four checks confirm a proper transport carry condition:

1. Safety is ON
2. Chamber is empty of live ammunition and contains ejectable gun chamber plug with tab protruding through ejection port (press check)

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3. Bolt is closed on the ejectable gun chamber plug

4. Full Magazine is seated

312.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms..
- (b) The firearm shall be inspected by the Rangemaster or his/her designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a record of the information.
- (e) Ammunition shall be department-issued.
- (f) Sworn Petaluma Police Department personnel who separate from service and return to civilian life are responsible for ensuring that all of their personally owned firearms comply with applicable Federal, State, and local laws. If a sworn employee of the Petaluma Police Department separates from service before taking possession and control of a personally owned firearm that is stored or located at the Petaluma Police Department, the firearm(s) in question will not be released from department custody or control unless the owner is legally allowed to possess them. This may necessitate inspection and modification of some weapons by a Petaluma Police Department armorer to bring them into compliance with applicable laws.

312.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order, on the department list of approved firearms, or an otherwise department-approved weapon.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

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- (e) The handgun shall be inspected by the Rangemaster or his/her designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue or otherwise department-approved and made by a reputable U.S. manufacturer. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a record of the information.

312.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) The member may use his/her duty firearm or may use a personally owned firearm that is carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy. A member carrying his/her duty firearm will be deemed to have complied with (c), (d) and (e) of this section.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent accidental unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Rangemaster or his/her designee for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster or authorized designee.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a record of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition, made by a reputable U.S. manufacturer.

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- (i) When armed, sworn personnel shall carry their badges and Petaluma Police Department identification cards under circumstances requiring possession of such identification.

312.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

312.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

312.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster. After a repair or modification is made, the weapon must be tested for proper firing/functioning by the Rangemaster or authorized designee at a department-approved range, and the department member must qualify at a department-approved range under the supervision of the Rangemaster or authorized designee prior to deployment of the weapon.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

Accessories and modifications of any firearms (rifle or sidearm) will be approved on the basis of their necessity, functionality, and utility. Accessories and modifications for purely aesthetic reasons will not be allowed. All weapons shall be black in color and professional in appearance.

312.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

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312.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

312.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

312.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster-approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If

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the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

312.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

312.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

312.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

312.5.4 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

If the vehicle does not have a trunk or a locked container, then the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock, or other similar locking device (Penal Code § 25140).

Officers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

312.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete regular training with their duty firearms in accordance with POST mandates and additional department requirements. In addition to regular training, all members will qualify at least annually with their

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duty firearms. Members will qualify with off-duty and secondary firearms at least twice a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

312.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to a fitness for duty evaluation or disciplinary action as appropriate.

312.6.2 USE OF TACTICAL LIGHTS ON HANDGUNS

Officers who attach a department approved tactical light to their handgun may only do so when they wear a department approved holster that will safely accommodate the weapon with the tactical light attached.

312.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit and complete a BlueTeam firearm discharge incident report. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall complete a BlueTeam firearm discharge incident report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

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- (b) If off-duty at the time of the incident, a BlueTeam firearm discharge incident report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

312.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Taser device, oleoresin capicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

Officers shall complete a BlueTeam firearm discharge incident report should they use their firearm to stop an animal.

312.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

Stray or abandoned injured animals that may be moved or taken to an available veterinarian should not be euthanized. With supervisor approval, abandoned injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made. Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed (Penal Code § 597.1).

312.7.3 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

312.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Manager after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

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The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Manager documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Manager.

312.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to sworn personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Sworn personnel wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Sworn personnel must carry their Petaluma Police Department identification card, bearing the sworn member's name, a full-face photograph, identification number, the sworn member's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Petaluma Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Petaluma Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

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- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

312.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officers shall carry his/her Petaluma Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

Crisis Response Unit

408.1 PURPOSE AND SCOPE

The Crisis Response Unit (CRU) is comprised of four specialized teams: the Hostage Negotiation Team (HNT), Special Weapons and Tactics Team (SWAT), Tactical Dispatch Team and Tactical Medical Team. The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary. This policy is written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations (Penal Code § 13514.1).

408.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

The Policy Manual sections pertaining to the Crisis Response Unit are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a police response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in this manual section serves as a guideline to department personnel allowing for appropriate on scene decision making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

408.1.2 SWAT TEAM DEFINED

A SWAT team is a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

408.2 LEVELS OF CAPABILITY/TRAINING

The Petaluma Police Department operates a Level II team.

408.2.1 LEVEL II

A level II, Intermediate level SWAT team is capable of providing containment and intervention. Additionally, these teams possess tactical capabilities above the Level I teams. These teams may or may not work together on a daily basis, but are intended to respond to incidents as a team. At least 5% of their on-duty time should be devoted to training with supplemental training for tactical capabilities above the Level I team.

408.3 POLICY

It shall be the policy of this department to maintain a SWAT team and to provide the equipment, manpower, and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

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- (a) Command and Control
- (b) Containment
- (c) Entry/Apprehension/Rescue

It is understood it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

408.3.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to this department. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SWAT Commander or his/her designee.

408.3.2 ORGANIZATIONAL PROCEDURES

This department shall develop a separate written set of organizational procedures which should address, at minimum, the following:

- (a) Locally identified specific missions the team is capable of performing.
- (b) Team organization and function.
- (c) Personnel selection and retention criteria.
- (d) Training and required competencies.
- (e) Procedures for activation and deployment.
- (f) Command and control issues, including a clearly defined command structure.
- (g) Multi-agency response.
- (h) Out-of-jurisdiction response.
- (i) Specialized functions and supporting resources.

408.3.3 OPERATIONAL PROCEDURES

This department shall develop a separate written set of operational procedures in accordance with the determination of their level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association Suggested SWAT Best Practices. Because such procedures are specific to CRU members and will outline tactical and officer safety issues, they are not included within this policy. The operational procedures should include, at minimum, the following:

- (a) Designated personnel responsible for developing an operational or tactical plan prior to, and/or during SWAT operations (time permitting).
 - 1. All SWAT team members should have an understanding of operational planning.

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2. SWAT team training should consider planning for both spontaneous and planned events.
3. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.
- (b) Plans for mission briefings conducted prior to an operation, unless circumstances require immediate deployment.
 1. When possible, briefings should include the specialized units and supporting resources.
- (c) Protocols for a sustained operation should be developed which may include relief, rotation of personnel and augmentation of resources.
- (d) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.
- (e) The appropriate role for a trained negotiator.
- (f) A standard method of determining whether or not a warrant should be regarded as high-risk.
- (g) A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.
- (h) Post incident scene management including:
 1. Documentation of the incident.
 2. Transition to investigations and/or other units.
 3. Debriefing after every deployment of the SWAT team.
 - (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound risk management practices.
 - (b) Such debriefing should not be conducted until involved officers have had the opportunity to individually complete necessary reports or provide formal statements.
 - (c) In order to maintain candor and a meaningful exchange, debriefing will generally not be recorded.
 - (d) When appropriate, debriefing should include specialized units and resources.

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- (i) Sound risk management analysis.
- (j) Standardization of equipment deployed.

408.4 TRAINING NEEDS ASSESSMENT

The SWAT/CRU Commander shall conduct an annual SWAT Training needs assessment to ensure that training is conducted within team capabilities, department policy and the training guidelines as established by POST (11 C.C.R. § 1084).

408.4.1 INITIAL TRAINING

SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of the POST-certified Basic SWAT Course or its equivalent.

- (a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content (topics) meet or exceed department requirements or POST standardized training recommendations.

408.4.2 UPDATED TRAINING

Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete update or refresher training as certified by POST, or its equivalent, every 24 months.

408.4.3 SUPERVISION AND MANAGEMENT TRAINING

Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level to ensure personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the teams.

Command personnel who may assume incident command responsibilities should attend SWAT or Critical Incident Commander course or its equivalent. SWAT command personnel should attend a POST-certified SWAT commander or tactical commander course, or its equivalent.

408.4.4 SWAT ONGOING TRAINING

Training shall be coordinated by the CRU Commander. The CRU Commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise in addition to specialized training. Training shall consist of the following:

- (a) Each SWAT member shall perform a physical fitness test twice each year. A minimum qualifying score must be attained by each team member.
- (b) Any SWAT team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.

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- (c) Those members who are on vacation, ill, or are on light duty status with a doctor's note of approval on the test date, shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member, who fails to arrange for and perform the physical fitness test within the 30-day period, shall be considered as having failed to attain a qualifying score for that test period.
- (d) Quarterly, each SWAT team member shall perform the mandatory SWAT handgun qualification course. The qualification course shall consist of the SWAT Basic Drill for the handgun. Failure to qualify will require that officer to seek remedial training from a team range master approved by the CRU Commander. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training may result in dismissal from the team.
- (e) Each SWAT team member shall complete the quarterly SWAT qualification course for any specialty weapon issued to, or used by, the team member during SWAT operations. Failure to qualify will require the team member to seek remedial training from the Rangemaster who has been approved by the CRU commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

408.4.5 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

408.4.6 SCENARIO BASED TRAINING

SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

408.4.7 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the Training Section. Such documentation shall be maintained in each member's individual training file. A separate agency SWAT training file shall be maintained with documentation and records of all team training.

408.5 UNIFORMS, EQUIPMENT, AND FIREARMS

408.5.1 UNIFORMS

SWAT teams from this agency should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

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408.5.2 EQUIPMENT

SWAT teams from this agency should be adequately equipped to meet the specific mission(s) identified by the agency.

408.5.3 FIREARMS

Weapons and equipment used by SWAT, the specialized units, and the supporting resources should be agency-issued or approved, including any modifications, additions, or attachments.

408.5.4 OPERATIONAL READINESS INSPECTIONS

The CRU Commander shall appoint a CRU supervisor to perform operational readiness inspections of all unit equipment at least quarterly. The result of the inspection will be forwarded to the CRU Commander in writing. The inspection will include personal equipment issued to members of the unit, operational equipment maintained in the CRU facility and equipment maintained or used in CRU vehicles.

408.6 MANAGEMENT/SUPERVISION OF CRISIS RESPONSE UNIT

The Commander of the CRU shall be selected by the Chief of Police upon recommendation of staff.

408.6.1 PRIMARY UNIT MANAGER

Under the direction of the Chief of Police, through the Patrol Division Commander, the Crisis Response Unit shall be managed by a lieutenant.

408.6.2 TEAM SUPERVISORS

The Negotiation Team and each Special Weapons and Tactics Team will be supervised by a sergeant.

The team supervisors shall be selected by the Chief of Police upon specific recommendation by staff and the CRU Commander.

The following represent the supervisor responsibilities for the Crisis Response Unit.

- (a) The Negotiation Team supervisor's primary responsibility is to supervise the operations of the Negotiation Team which will include deployment, training, first line participation, and other duties as directed by the CRU Commander.
- (b) The Special Weapons and Tactics Team supervisor's primary responsibility is to supervise the operations of the SWAT Team, which will include deployment, training, first line participation, and other duties as directed by the CRU Commander.

408.7 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES

The Crisis Negotiation Team has been established to provide skilled verbal communicators who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves, or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the Crisis Negotiation Team.

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408.7.1 TRAINING OF NEGOTIATORS

Those officers selected as members of the Negotiation Team should attend the Basic Negotiators Course as approved by the Commission on Peace Officer Standards and Training (POST) prior to primary use in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per quarter will be required to provide the opportunity for role playing and situational training necessary to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels, established by the team supervisor, will be met and maintained by all team members. Any member of the Negotiation Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the unit.

408.8 SWAT TEAM ADMINISTRATIVE PROCEDURES

The Special Weapons and Tactics (SWAT) Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics in such situations as cases where suspects have taken hostages and/or barricaded themselves as well as prolonged or predictable situations in which persons armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the Special Weapons and Tactics Team.

408.8.1 SELECTION OF PERSONNEL

Interested sworn personnel who are off probation shall submit a memorandum of interest to the Operations Division Commander, a copy of which will be forwarded to the CRU Commander and other SWAT supervisors. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the CRU Commander. The testing process will consist of an oral board, physical agility, SWAT basic handgun and long gun course, and team evaluation.

- (a) Oral board: The oral board will consist of personnel selected by the CRU Commander. Applicants will be evaluated by the following criteria:
 - 1. Recognized competence and ability as evidenced by performance;
 - 2. Demonstrated good judgment and understanding of critical role of SWAT member;
 - 3. Special skills, training, or appropriate education as it pertains to this assignment; and,
 - 4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.

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- (b) Physical agility: The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of SWAT-related duties. The test and scoring procedure will be established by the CRU Commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.
- (c) SWAT basic handgun and long gun: Candidates will be invited to shoot the SWAT Basic Drill for handgun and long guns. A minimum qualifying score must be attained to qualify.
- (d) Team evaluation: Current team members will evaluate each candidate on his or her field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.
- (e) A list of successful applicants shall be submitted to staff, by the CRU Commander, for final selection.

408.8.2 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the CRU Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT Team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

408.9 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT

The following procedures serve as guidelines for the operational deployment of the Crisis Response Unit. Generally, the Special Weapons and Tactics Team and the Crisis Negotiation Team will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the Crisis Negotiation Team such as warrant service operations. This shall be at the discretion of the CRU Commander.

408.9.1 ON-SCENE DETERMINATION

The supervisor in charge on the scene of a particular event will assess whether the Crisis Response Unit is to respond to the scene. Upon final determination by the Watch Commander, he/she will notify the CRU Commander.

408.9.2 APPROPRIATE SITUATIONS FOR USE OF CRISIS RESPONSE UNIT

The following are examples of incidents which may result in the activation of the Crisis Response Unit:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages are taken.
- (c) Cases of suicide threats.
- (d) Arrests of dangerous persons.

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- (e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.

408.9.3 OUTSIDE AGENCY REQUESTS

Requests by field personnel for assistance from outside agency crisis units must be approved by the Watch Commander. Deployment of the Petaluma Police Department Crisis Response Unit in response to requests by other agencies must be authorized by a Division Commander.

408.9.4 MULTI-JURISDICTIONAL SWAT OPERATIONS

The SWAT team, including relevant specialized units and supporting resources, should develop protocols, agreements, MOU's, or working relationships to support multi-jurisdictional or regional responses.

- (a) If it is anticipated that multi-jurisdictional SWAT operations will regularly be conducted; SWAT multi-agency and multi-disciplinary joint training exercises are encouraged.
- (b) Members of the Petaluma Police Department SWAT team shall operate under the policies, procedures and command of the Petaluma Police Department when working in a multi-agency situation.

408.9.5 MOBILIZATION OF CRISIS RESPONSE UNIT

The On-Scene supervisor shall make a request to the Watch Commander for the Crisis Response Unit. The Watch Commander shall then notify the CRU Commander. If unavailable, a team supervisor shall be notified. A current mobilization list shall be maintained in the Watch Commander's office by the CRU Commander. The following is a list of information that should be conveyed to the CRU Commander and/or supervisor.

- (a) The number of suspects, known weapons and resources.
- (b) If the suspect is in control of hostages.
- (c) If the suspect is barricaded.
- (d) The type of crime involved.
- (e) If the suspect has threatened or attempted suicide.
- (f) The location of the command post and a safe approach to it.
- (g) The extent of any perimeter and the number of officers involved.
- (h) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.

The CRU Commander or supervisor shall then call selected officers to respond.

408.9.6 FIELD UNIT RESPONSIBILITIES

While waiting for the Crisis Response Unit, field personnel should, if safe, practical and sufficient resources exist:

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- (a) Establish an inner and outer perimeter.
- (b) Establish a command post outside of the inner perimeter.
- (c) Establish an arrest/response team. The team actions may include:
 - 1. Securing any subject or suspect who may surrender.
 - 2. Taking action to mitigate a deadly threat or behavior.
- (d) Evacuate any injured persons or citizens in the zone of danger.
- (e) Attempt to establish preliminary communication with the suspect. Once the CRU has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.
- (f) Be prepared to brief the CRU Commander on the situation.
- (g) Plan for, and stage, anticipated resources.

408.9.7 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Crisis Response Unit at the scene, the Incident Commander shall brief the CRU Commander and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the CRU Commander, whether to deploy the Crisis Response Unit. Once the Incident Commander authorizes deployment, the CRU Commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security, and support for the Crisis Response Unit. The Incident Commander and the CRU Commander (or his or her designee) shall maintain communications at all times.

408.9.8 COMMUNICATION WITH CRISIS RESPONSE UNIT PERSONNEL

All of those persons who are non-Crisis Response Unit personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with Crisis Team personnel directly. All non-emergency communications shall be channeled through the Negotiation Team Sergeant or his or her designee.

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468.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

468.2 POLICY

The Petaluma Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

468.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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468.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

468.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

468.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

468.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

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- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

468.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.

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- (t) Parameters for the use of body-worn cameras and other portable recording devices.

468.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

468.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

468.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

468.8 ARRESTS

The Petaluma Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

468.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

468.9.1 MEDIA ACCESS

If officers close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment, officers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

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468.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

468.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

468.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

468.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Officers should also receive periodic training on the standards for the use of kinetic energy projectiles and chemical agents for crowd control purposes as identified in Penal Code § 13652.

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468.13 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control (Penal Code § 13652).

468.13.1 USE SUMMARY

The Patrol Division Commander or the authorized designee should ensure that a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the Department at the time of the report and include the information required in Penal Code § 13652.1.

Unmanned Aerial System (UAS) Operations

613.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

613.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

613.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

613.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

613.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

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- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

613.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

613.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

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- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

613.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

Vehicle Maintenance

704.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

704.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

704.2.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

704.2.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

704.2.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

704.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

704.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

704.5 WASHING OF VEHICLES

All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

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Vehicle Maintenance

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

704.6 CIVILIAN EMPLOYEE USE

Civilian employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Civilian employees shall also prominently display the "out of service" placards or lightbar covers at all times. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Vehicle Use

706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Petaluma to provide assigned take-home vehicles.

706.2 POLICY

The Petaluma Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

706.3 USE OF VEHICLES

City-owned vehicles shall only be used for official business and, when approved, for commuting to allow members to respond to department-related business outside their regular work hours.

Members shall not operate a City-owned vehicle at any time when impaired by drugs and/or alcohol.

Any member operating a vehicle equipped with a two-way communications radio, MDC and/or a GPS device shall ensure the devices are on and set to an audible volume whenever the vehicle is in operation.

706.3.1 SHIFT ASSIGNED VEHICLES

Members who use a fleet vehicle as part of their work assignment shall ensure that the vehicle is properly checked out and logged on the daily shift roster, according to current procedures, prior to taking it into service. If for any reason during the shift the vehicle is exchanged, the member shall ensure that the exchanged vehicle is likewise properly noted on the daily shift roster.

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

706.3.2 UNSCHEDULED USE OF VEHICLES

Members utilizing a City-owned vehicle for any purpose other than their regularly assigned duties shall first notify the Watch Commander of the reason for use and a notation will be made on the shift roster indicating the operator's name and vehicle number. This section does not apply to members permanently assigned an individual vehicle (e.g., command staff, detectives), who regularly use the vehicle on an unscheduled basis as part of their normal assignment.

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706.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

706.3.5 MDC

Members assigned to vehicles equipped with a Mobile Data Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the Communications Center. Use of the MDC is governed by the Mobile Data Computer Use Policy.

706.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Division Commander approval.

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All data captured by the system shall be retained in accordance with the established records retention schedule.

706.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

706.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

706.3.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

706.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

706.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

706.3.12 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall prominently display the "out of service" placards or light bar covers at all times. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

706.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

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Vehicle Use

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

706.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

706.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Petaluma City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

706.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence, the nature of the member's duties, job description and essential functions, and employment or appointment status. Residence in the City of Petaluma is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Petaluma may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization.

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Vehicle Use

- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.
 - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or travelling to or from a work-related activity or function.
 - 3. When the member has received permission from the Chief of Police or Division Commanders.
 - 4. When the vehicle is being used by the Chief of Police, Division Commanders or members who are in on-call administrative positions.
 - 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
 - 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 - 2. All weapons shall be secured while the vehicle is unattended.
 - 3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

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Vehicle Use

706.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Petaluma Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

706.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

706.5 UNMARKED VEHICLES

Vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a division supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the division for that purpose. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also record the use with the Watch Commander on the shift assignment roster.

Petaluma Police Department

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Vehicle Use

706.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Watch Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

706.7 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

- (a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander within five working days explaining the circumstances.

706.8 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.



Public Hearing on
Assembly Bill 481:

Military Equipment
Funding, Acquisition
and Use

Agenda

- Assembly Bill 481 Background
- AB 481: Military Equipment Defined
- Why Specific Equipment is Needed
- How Equipment is Funded, Acquired & Used
- PPD's Equipment Inventory
- Public Outreach and Engagement
- Questions & Concerns



Why AB 481

- In 2021, the California Legislature passed Assembly Bill 481 (AB 481), to address the funding, acquisition and use of military equipment.
- Increases transparency, accountability, oversight for acquisition and use of equipment
- Provide safeguards to protect public's welfare, safety, civil rights and liberties
- Requires an annual report to summarize
 - equipment usage and updates
 - document internal audits
 - summarize community feedback
- Creates public forum for input and engagement



AB 481 Requires Initial Approval and Annual Reporting:

AB 481 requires approval for the continued use of equipment purchased prior to January 1, 2022, and approval for any new equipment the Department intends to acquire in the next FY.

AB 481 also requires an annual report to include:

- how equipment is being used
- maintenance and use costs
- internal audits
- community feedback on use

**PPD's first Annual Report will be presented in May 2023*



Existing Use of Force Reporting

- The Department lists detailed information on use of force information on our website at <https://cityofpetaluma.org/police-department-data-statistics/>
- The Department also reports use of force data to the California Department of Justice which displays such information on <https://openjustice.doj.ca.gov/>



Why do we need this equipment?



Goal:

- Community Safety - peaceful resolution of emergency incidents for community members and officers.

Community Concerns:

- Purpose, Authorized Use, and Compliance/Accountability

Factors that influence safe resolutions:

- Time, distance and cover
- Less lethal options provide options to deadly force
- Proper training in de-escalation and equipment along with current authorized use policies

Keeping Our Community Safe



Importance of Community Preparedness

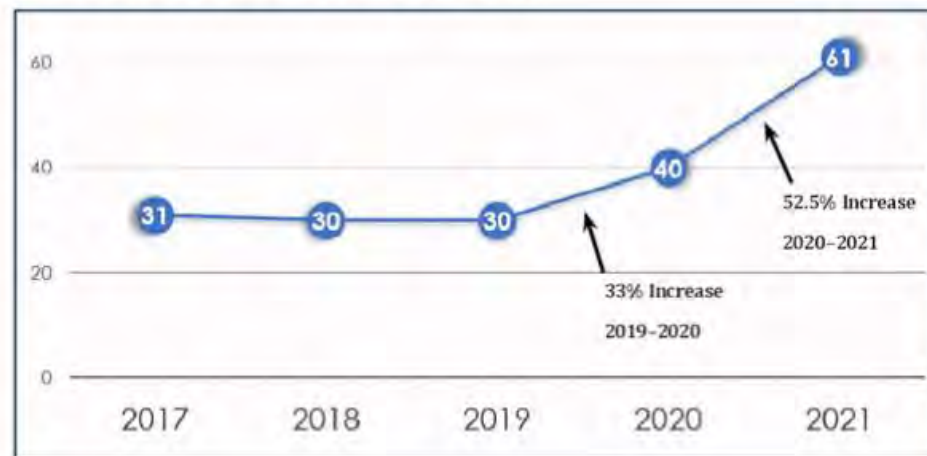
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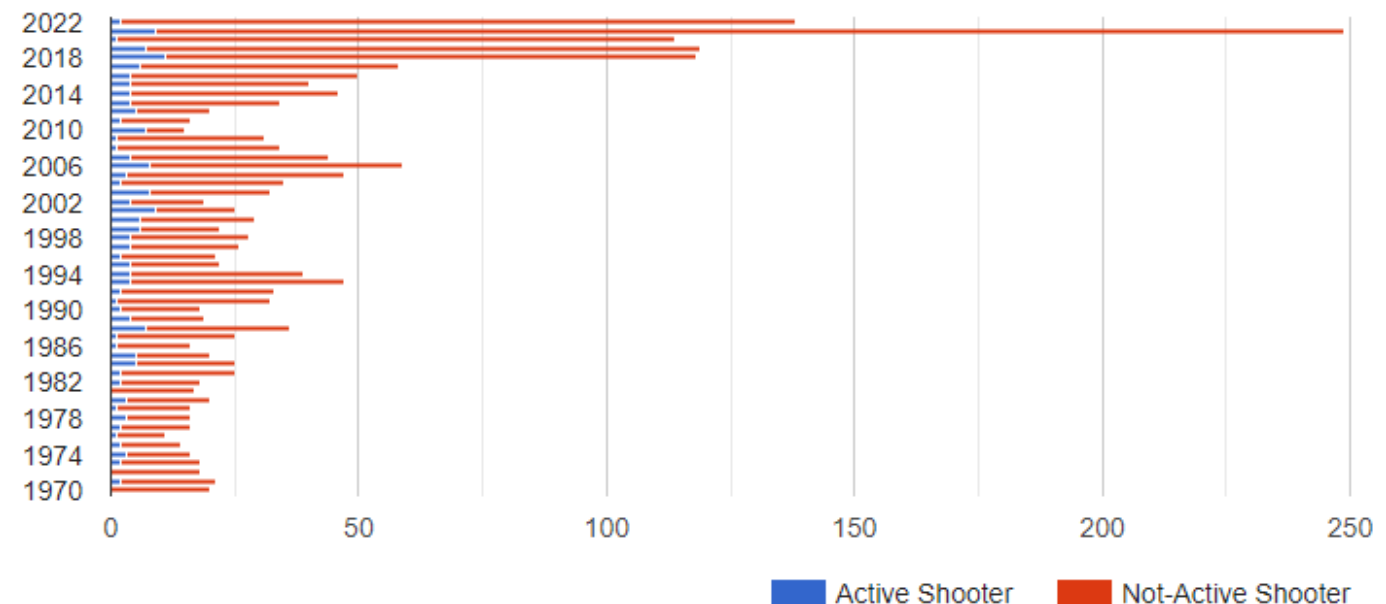
Active Shooter/Mass Casualty Incidents

Incident Statistics

Active Shooter Incidents 2017–2021



Incidents by Year



Source: FBI Office of Partner Engagement
fbi.gov/about/partnerships/office-of-partner-engagement/active-shooter-resources

Source: K-12 School Shooting Database chds.us/ssdb/



How do Petaluma Police and Fire Train?

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Petaluma Police and Fire have been conducting joint training regarding responses to mass casualty/active shooting incidents since 2016.

Fire personnel outfitted with ballistic helmets and vests now accompany police officers into dangerous areas in order to provide emergency medical aid or to rescue potential victims.

Previously, under traditional models paramedics would stage in a safe location and respond to treat victims only after police had taken control of the location and the risk or injury from gunfire was resolved.



Officer Standardized Equipment and Variations



Standard Issue Duty Equipment – Exempt from AB481

Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.



Standard Issue Patrol Rifle

Standard Issue Patrol Shotgun

Standard Issue Patrol Handgun

Standard Issue Patrol Taser

Equipment Categories per AB 481

Category 1- Unmanned, remotely piloted, powered aerial or ground vehicles (In Process)

Category 2- Mine-resistant ambush-protected vehicles (MRAP) or armored personnel carriers*

Category 3- 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

Category 4- Tracked armored vehicles that provide ballistic protection to their occupants

Category 5- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units*

Category 6- Weaponized aircraft, vessels, or vehicles of any kind

Category 7- Battering rams, slugs, and breaching apparatuses that are explosive in nature*

Category 8- Firearms of .50 caliber or greater

Category 9- Ammunition of .50 caliber or greater

Category 10- Specialized firearms and ammunition of less than .50 caliber*

Category 11- Any firearm or firearm accessory that is designed to launch explosive projectiles

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray*

Category 13- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices

Category 14- Kinetic energy weapons and munitions*

Category 15- Any other equipment as determined by a governing body or a state agency to require additional oversight

**Denotes PPD Equipment in inventory*

Qualifying Equipment Possessed By PPD

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AB 481 Category	Equipment Type / Description	How Equipment Was Funded	How Long Equipment Has Been in Inventory
Category 1	Unmanned Aerial Vehicles	In Process	2022
Category 2	Armored Rescue Vehicle MRAPS	1033 Program	2004 (Non-Military) 2017 (Military)
Category 5	Mobile Command Vehicle	Office of Traffic Safety Grant Homeland Security Funding	2010
Category 7	Breaching Round / Projectile	General Fund	2002
Category 10	Specialized Firearms	General Fund	1977
Category 12	Diversionsary Devices / Tear Gas/Chemical Agents	General Fund	1977
Category 14	Less Lethal / Kinetic Energy Rounds	General Fund	1977 2002 (LL Bean Bag)

Military Equipment Used By Neighboring Jurisdictions

AB 481

AB 481 Identified Equipment	Used by Petaluma Police Department	Used by Neighboring Jurisdictions
Category 1: Unmanned, remotely piloted, powered aerial or ground vehicles	In Process	✓
Category 2: Mine-resistant ambush-protected vehicles or armored personnel carrier	✓	✓
Category 3: High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry		✓
Category 4: Tracked armored vehicles that provide ballistic protection to their occupants		
Category 5: Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units	✓	✓
Category 6: Weaponized aircraft, vessels, or vehicles of any kind		
Category 7: Battering rams, slugs, and breaching apparatuses that are explosive in nature	✓	✓
Category 8: Firearms of .50 caliber or greater		
Category 9: Ammunition of .50 caliber or greater		
Category 10: Specialized firearms and ammunition of less than .50 caliber	✓	✓
Category 11: Any firearm or firearm accessory that is designed to launch explosive projectiles		✓
Category 12: Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray	✓	✓
Category 13: TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices		✓
Category 14: Kinetic energy weapons and munitions	✓	✓
Category 15: Any other equipment as determined by a governing body or a state agency to require additional oversight		Slide 16 of 45

Allied Law Enforcement Agencies AB 481 Identified Equipment		Petaluma PD	Santa Rosa PD	Sonoma County Sheriff	Novato PD	San Rafael PD	Main County Sheriff	Napa Police Department	Napa County Sheriff	Rohnert Park DPS	Central Marin PA	Healdsburg PD	Cotati PD	Sebastopol PD	Cloverdale PD	SRJC PD	SSU PD				
Full Service Agency w/SWAT Team	✓	✓	✓	✓	✓	✓	✓	✓													
Category 1: Unmanned, remotely piloted, powered aerial or ground vehicles	*	✓	✓	✓	✓	✓	✓	✓		✓	✓										
Category 2: Mine-resistant ambush-protected vehicles or armored personnel carrier	✓	✓	✓	✓	✓	✓	✓	✓		✓											
Category 3: High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry			✓																		
Category 4: Tracked armored vehicles that provide ballistic protection to their occupants																					
Category 5: Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units	✓	✓	✓		✓	✓				✓											
Category 6: Weaponized aircraft, vessels, or vehicles of any kind																					
Category 7: Battering rams, slugs, and breaching apparatuses that are explosive in nature	✓	✓	✓		✓	✓	✓	✓													
Category 8: Firearms of .50 caliber or greater																					
Category 9: Ammunition of .50 caliber or greater																					
Category 10: Specialized firearms and ammunition of less than .50 caliber	✓	✓		✓	✓	✓	✓	✓		✓				✓							
Category 11: Any firearm or firearm accessory that is designed to launch explosive projectiles			✓																		
Category 12: Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray	✓	✓	✓	✓	✓	✓	✓	✓		✓				✓							
Category 13: TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices		✓																			
Category 14: Kinetic energy weapons and munitions	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓					
Category 15: Any other equipment as determined by a governing body or a state agency to require additional oversight																		Slide 17 of 45			

Neighboring Jurisdictions

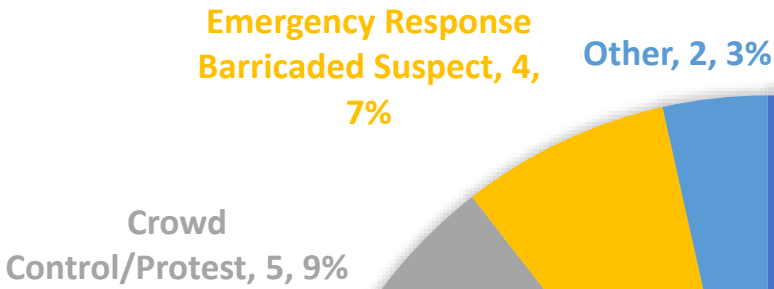
Standard Issue Equipment (Exempt from AB481)

Allied Law Enforcement Agencies Standard Issue Equipment	Petaluma PD	Santa Rosa PD	Sonoma County Sheriff	Novato PD	San Rafael PD	Marin County Sheriff	Napa Police Department	Napa County Sheriff	Rohnert Park DPS	Central Marin PA	Healdsburg PD	Cotati PD	Sebastopol PD	Cloverdale PD	SRIC PD	SSU PD
Patrol Handgun	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Patrol Rifle	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Patrol Shotgun	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Taser	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

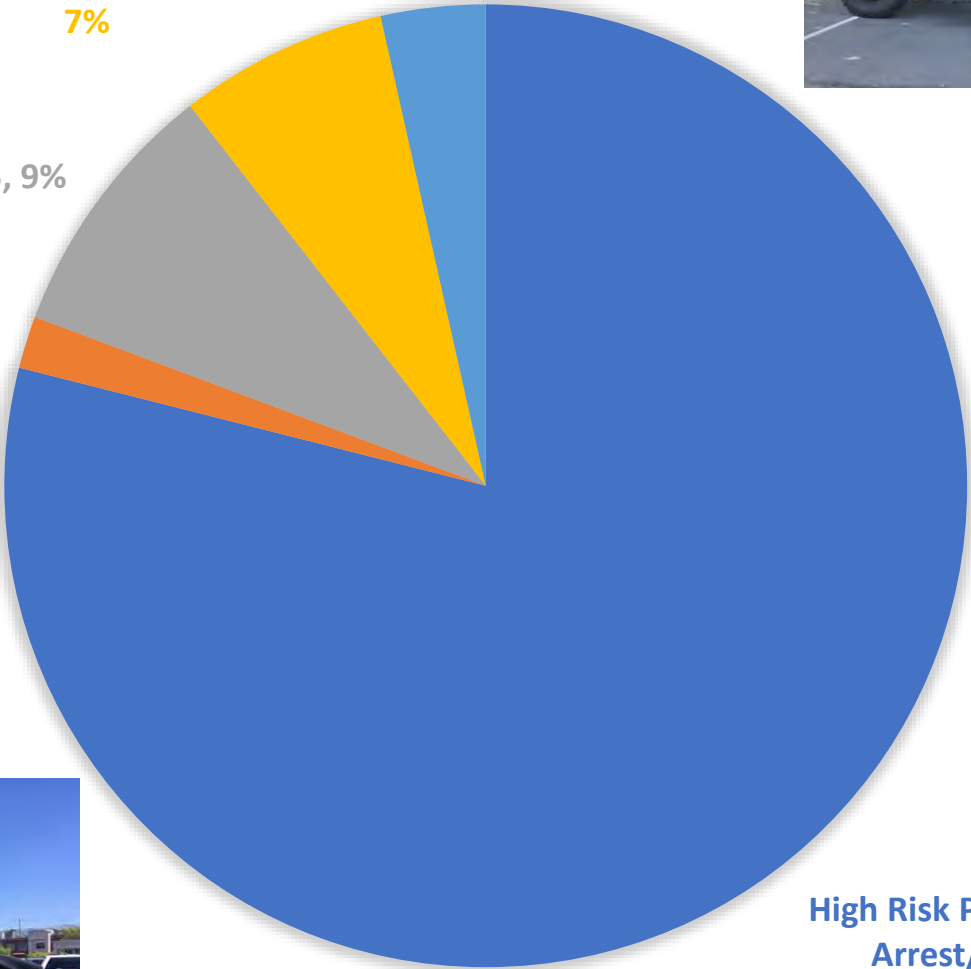


Crisis Response Unit (CRU) Deployments

CRU is made up of the SWAT, Crisis Negotiators, and Tactical Dispatchers and activated for high-risk incidents, high-risk search/arrest warrants, and planned demonstrations (with specific crowd control equipment) along with Armored Rescue Vehicles and Mobile Command Vehicle.



Mutual Aid, 1, 2%



High Risk Pre-Planned
Arrest/Search
Warrant, 45, 79%



Category 1- Unmanned Aerial Vehicles

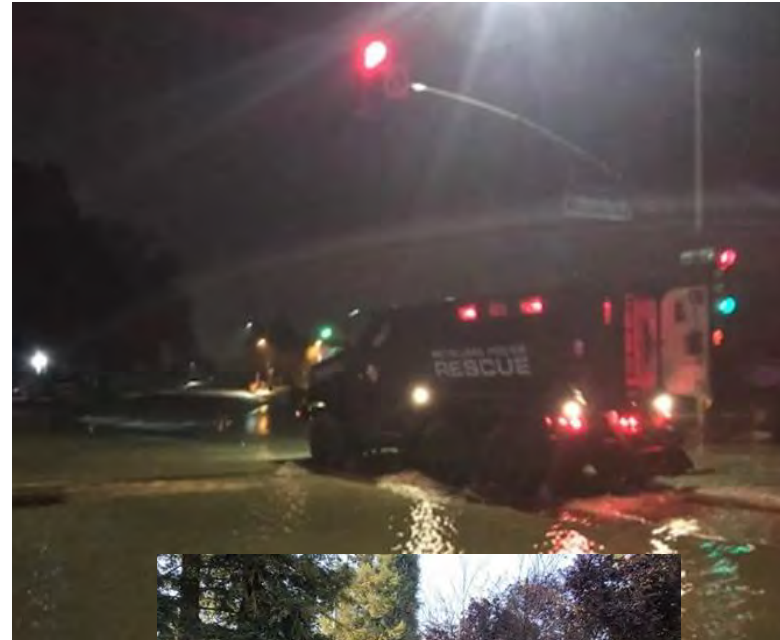
UAVs provide the ability for law enforcement to conduct search and rescue operations for **missing persons or injured persons during emergencies or disasters, search for suspects in open spaces or inside structures where it would otherwise be unsafe for officers to enter, respond to and monitor emergency scenes and criminal activity for first responders, large special events for public safety monitoring.**



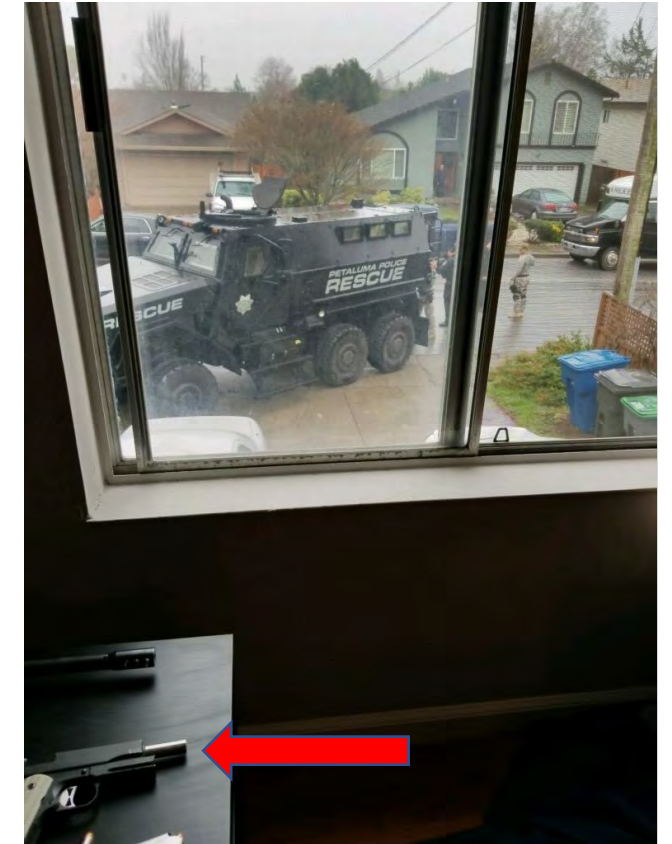
Category 2- Mine-resistant ambush-protected vehicles (MRAP) or armored personnel carriers

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Armored rescue vehicles provide officers with armor (ballistic and explosive) protection for transport, delivery, or rescue of officers or civilians when confronting suspects who are armed or known to be armed. Rescue capability in natural and human made disasters (fires, floods, earthquake) where other emergency vehicles have limited access or protection.



Category 2-Mine-resistant ambush-protected vehicles (MRAP) or armored personnel carriers



Here is an example of a situation where an armed suspect in possession of an assault weapon readily accessible at the time we served a high-risk search warrant created a significant safety threat to officers. The ARV was invaluable in this incident ensuring officers had adequate protection and cover during this incident. Slide 22 of 45

Armored Rescue Vehicle Deployments

Date	Type	Address	Purpose	ARV Used
Aug-18	SWAT High Risk Search Warrant	Ramona Ln, Petaluma	Gang - Drug Sales	1
Oct-18	SWAT High Risk Search Warrant	Park Lane	Gang Assault Investigation	1
Dec-18	SWAT High Risk Search Warrant	Albert Way, Petaluma	Assault Weapon Sales Investigation	1
Feb-19	Flood Rescue – For Fire Dept.	Stony Point Rd @ PBN	Rescued multiple persons stranded on flooded roadways	1
Jul-19	Patrol High Risk Armed Barricade	Maria Drive, Petaluma	Barricaded Armed Domestic Violence Suspect	1
Nov-19	SWAT High Risk Arrest / Search Warrant	Bonafacio, Concord	Homicide-Murder Investigation	1
Dec-19	Patrol High Risk Call For Service	Rainsville Road, Petaluma	Domestic Violence w/Gunshots fired - ARV Only	1
Dec-19	SWAT Call Out – Armed Barricade	Western Av	Armed Barricaded Domestic Violence Suspect	1
Jan-20	SWAT High Risk Search Warrant	Howard Street	Armed Robbery/Assault with a Firearm	1,2
Feb-20	SWAT Call Out - Barricade	Cardinal Way	Interrupted Residential Burglary/Possible Home Invasion	1,2
Jun-20	SWAT High Risk Search Warrant	Stony Point Road	Mutual Aid for SCSO - ARV Only	1
Dec-20	Mutual Aid for Santa Rosa PD	Whitewood Dr, Santa Rosa	Mutual Aid for SRPD - ARV Only	2
Feb-21	SWAT High Risk Search Warrant	Fallon Rd, Tomales	Armed Robbery	1,2
Apr-21	SWAT High Risk Search Warrant	Grouse Lane	Armed Domestic Violence Suspect w/Victims Barricaded	1
Jun-21	Mutual Aid in Santa Rosa	Stony Point Road	Mutual Aid - Search Warrant for 2 Homicide Suspects	1
Nov-21	Patrol High Risk Call For Service	Lindberg Circle	Armed Robbery	1

Category 5- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units

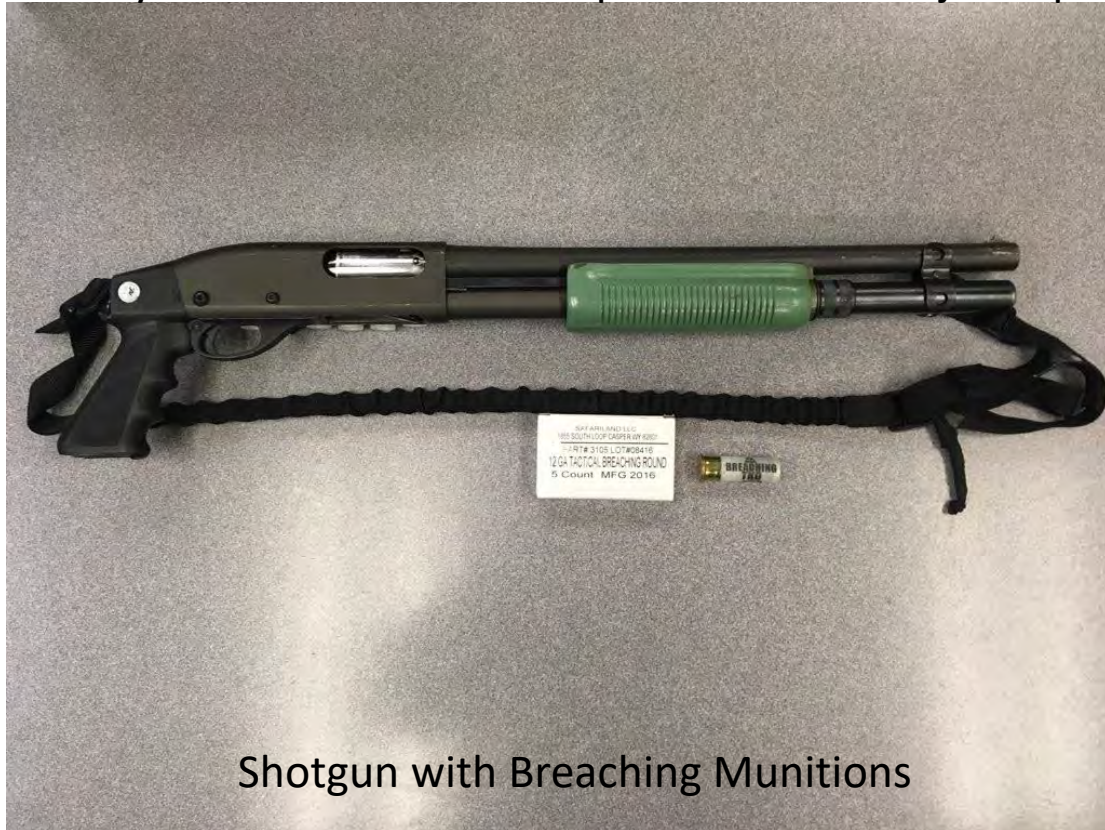
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The Mobile Command Vehicles provides command and control for critical emergency incidents, special events, community engagement, or special operations with digital radio, video, data systems in the field and serves as backup system in the event main police facility 911 center goes down due to human made or natural disasters.

Category 7- Battering rams, slugs, and breaching apparatuses that are explosive in nature

(SWAT Only) - Ballistic breaching rounds are used to gain access into locked or barricaded structures when immediate access is necessary to confront armed suspects or rescue injured persons when failure to act would risk death or serious bodily injury.



Shotgun with Breaching Munitions



Exempt Breaching Tools

Category 10- Specialized firearms and ammunition of less than .50 caliber

SWAT Only - Sniper Rifle



Standard Issue Patrol Rifle



Sniper/observer teams consist of two SWAT members and serve as a source of on scene intelligence typically observed from a safe position of cover and concealment and often from a distance. Team possesses specialized optics and weapons for precision deadly force options to stop an armed suspect and protect officers and innocent civilians. Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas (CS) or pepper gas (OC), or smoke excluding standard, service-issued handheld pepper spray

A device used by SWAT to distract, disorient, and divert attention of armed suspect(s) prior to making entry to apprehend suspect or rescue officers or innocent civilians.



Distraction / diversionary device for high-risk situations or to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.

Low roll flash bang diversionary device

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas (CS) or pepper gas (OC), or smoke excluding standard, service-issued handheld pepper spray

The launching cup housing unit is used by SWAT to deliver chemical agents pursuant to current law and policy.



Device used to deliver chemical agents to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.

Chemical agent launching cup (Housing unit only)

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas (CS) or pepper gas (OC), or smoke excluding standard, service-issued handheld pepper spray

Used by SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



To distract, disorient, and divert attention of armed suspect(s) prior to making entry into an area to apprehend suspect(s) or rescue officers or innocent civilians in riot/crowd control situation.

Riot Control Continuous Discharge
CS Chemical Agent Grenade- Outdoor

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas (CS) or pepper gas (OC), or smoke excluding standard, service-issued handheld pepper spray

Used by SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



To distract, disorient, and divert attention of armed suspect(s) prior to making entry to apprehend suspect or rescue innocent civilians or force suspect(s) to exit and surrender from enclosed structures or vehicles.

Flameless Tri-Chamber CS Grenade- Indoor

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas (CS) or pepper gas (OC), or smoke excluding standard, service-issued handheld pepper spray

Used by SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



To distract, disorient, and divert attention of armed suspect(s) prior to making entry to apprehend suspect(s) or rescue innocent civilians or force suspect(s) to exit and surrender from enclosed structures or vehicles.

Flameless Expulsion CS Grenade- Indoor

Category 12- Noise-flash diversionary devices and explosive breaching tools, munitions containing tear gas (CS) or pepper gas (OC), or smoke excluding standard, service-issued handheld pepper spray

Used by SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



To distract, disorient, and divert attention of armed suspect(s) prior to making entry into an area to apprehend suspect(s) or rescue officers or innocent civilians in riot/crowd control situations. May be used to determine wind and speed for chemical agent deployments.

Maximum HC Smoke Canister- Outdoor

Category 14- Kinetic energy weapons and munitions

(Patrol/SWAT) Less lethal shotgun with less lethal bean bag munition



Effective 5 to 75 feet



Effective up to 120 feet



Patrol Less lethal 40mm impact device with sponge munition

To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.

Category 14- Kinetic energy weapons and munitions

Used by SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force..

SWAT 40mm Multi-Round Launcher

Category 14- Kinetic energy weapons and munitions

Used by Patrol to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.

Patrol less lethal 40mm impact device shown with a sponge munition

Category 14- Kinetic energy weapons and munitions

To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



40mm Foam Tipped
Exact Impact Munition

Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.

Category 14- Kinetic energy weapons and munitions

To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



Less lethal Impact Round-
Multiple Rubber Baton



Less Lethal Impact Round
Stinger 32 Caliber Rubber Balls

Less lethal force option beyond the range of shotgun beanbag to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.

Category 14- Kinetic energy weapons and munitions

To defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



40mm crushable foam tipped direct impact round containing OC/CS chemical agents

Chemical agents are generally exclusively used by trained members of a SWAT Team during high-risk tactical situations or incidents. Chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to the public, police, and the subject(s). Chemical agents can also be used to prevent an armed subject(s) from accurately firing at members of the public and/or officers. They can also be used in limited instances during civil unrest or riots to disperse violent crowds.

Category 14- Kinetic energy weapons and munitions

Used by SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



SWAT Barricade penetrator rounds containing liquid/powder CS chemical agents

Chemical agents are exclusively used by trained members of a SWAT Team during high-risk tactical situations or incidents. Chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to the public, police, and the subject(s). Barricade penetrator munitions can be used to introduce a chemical agent into a building or through a window via the less lethal 40mm munition pictured here. Chemical agents can also be used to prevent an armed subject(s) from accurately firing at members of the public and/or officers.

Category 14- Kinetic energy weapons and munitions

Used by Patrol and SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



Less lethal shotgun with less lethal bean bag munition

The clearly marked less lethal delivery system used to deploy "bean bag" rounds. Serves as a less lethal force option used to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.

Category 14- Kinetic energy weapons and munitions

Used by Patrol and SWAT to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.



Less lethal force option used to distract, disorient, and divert attention of armed suspect(s) or those engaged in violence or threats of violence to safely apprehend suspects without the use of deadly force.

Drag stabilizing "bean bag" round

Public Outreach

- June 2020 – Staff held a Community Town Hall where discussion regarding specialized equipment led to the development of our Specialized Equipment page on the police website :
<https://www.cityofpetaluma.org/police-department-specialized-equipment/>
- April 2022 – meeting notice on PPD website and social media
 - Full text of AB 481
 - AB 481 defined list of military equipment currently in PPD's possession
 - AB 481 Staff Report
 - Draft Policy 709 – Military Equipment Funding, Acquisition, and Use
- April 18 , 2022 – Public Notice - City Council New Business Item announcing Public Hearing June 6, 2022.
- June 6, 2022 – Public Hearing and First Reading of Ordinance.



Community Academy Class Tour of
Mobile Command Vehicle

Compliance and Accountability

The Police Department has established a webpage: cityofpetaluma.org/police-department-specialized-equipment/

The page discusses AB 481 and the qualifying equipment in possession of the department.

The Department has also established a community feedback process in which the email address of PetalumaPoliceEquipment@cityofpetaluma.org has been activated to receive comments, concerns, and complaints from community members regarding the department's use of military equipment.

Annual reports related to military equipment will be published to the specialized equipment page on the city website.



How Does this Affect Petaluma?

With City Council Adoption:

- ✓ PPD will continue to have access to each of the resources currently available prior to AB481. In addition, the corresponding policies and procedures would remain in effect as they were before AB481.
- ✓ Staff will be required to implement a tracking system for equipment use in preparation for the AB 481 Annual Report.
- ✓ Community and officer safety will be maintained.

Without City Council Adoption:

- ✓ The Department will cease the use of equipment designated by AB 481.
- ✓ The Department would no longer be a full-service law enforcement agency and will rely on mutual aid by outside agencies (Sonoma County Sheriff's Office), lose direct command and control of critical emergency situations, and not be able to respond to requests for mutual aid by outside agencies.
- ✓ Community and officer safety will be compromised.



Questions and Comments by Council

This concludes the presentation and staff is here to address any questions.

