

File No. 221062

Committee Item No. 2

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date April 24, 2023

Board of Supervisors Meeting

Date \_\_\_\_\_

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Information/Vacancies (Boards/Commissions)
- Public Correspondence

### OTHER (Use back side if additional space is needed)

- SF Sheriff's Office - Annual Military Equipment List 4/2023
- SF Sheriff's Office Policy 704
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: Victor Young Date April 20, 2023

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Administrative Code - Funding, Acquisition, and Use of Certain Sheriff's Department  
2 Equipment]

3 **Ordinance amending the Administrative Code to require Board of Supervisors approval**  
4 **of a policy governing the funding, acquisition, and use of certain law enforcement**  
5 **equipment of the Sheriff's Department consistent with the criteria set forth in state law,**  
6 **and approving the Sheriff's Department's Use of Equipment Policy.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
10 **Board amendment additions** are in double-underlined Arial font.  
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
12 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Background.

16 (a) On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill  
17 481 ("AB 481"), codified in California Government Code Sections 7070 *et seq.*, requiring law  
18 enforcement agencies to obtain approval by ordinance of an equipment use policy to allow the  
19 use of particularly defined new or existing law enforcement equipment for a purpose, in a  
20 manner, or by a person not previously approved by the governing body. Government Code  
21 Sections 7070 *et seq.* define the specific equipment subject to this requirement, the minimum  
22 requirements for the policy, and the standards for the approval of the governing body. The  
23 covered equipment is also summarized in Section 1 of the ordinance in Board of Supervisors  
24 File No. 220641.

25 (b) On May 24, 2022, the Mayor introduced an ordinance to add a chapter to the  
Administrative Code to require Board of Supervisors approval of a policy governing the  
funding, acquisition, and use of certain law enforcement equipment consistent with the criteria

1 set forth in California Government Code Section 7071(d). That ordinance covered the  
2 Police Department. On December 13, 2022, the Board adopted the ordinance approving the  
3 Police Department’s Use of Equipment Policy, the codified portion of which is designated  
4 Chapter 96H, including Section 96H.1. July 11, 2022, the Rules Committee of the Board  
5 amended that ordinance to include approval of the Police Department’s Use of Equipment  
6 Policy. That ordinance, in File No. 220641 of the Board of Supervisors, is still pending before  
7 the Board, and is scheduled for an additional hearing at the Rules Committee.

8 (c) ~~As introduced, the codified portion of the ordinance in Board File No. 220641 is~~  
9 ~~designated Chapter 96G, including Section 96G.1, but it is anticipated that the chapter and~~  
10 ~~section numbers will be redesignated as Chapter 96H and Section 96H.1. For purposes of~~  
11 ~~the font used to show amendments to existing Code text in Section 4 of this ordinance, this~~  
12 ~~ordinance assumes that the aforementioned, previously introduced ordinance has been so~~  
13 ~~redesignated and has been enacted with the text as amended at the July 11 Rules Committee~~  
14 ~~hearing.~~

15  
16 Section 2. Findings and Approval of Sheriff’s Equipment Use Policy.

17 (a) The Sheriff prepared an inventory of existing equipment covered by California  
18 Government Code Sections 7070 *et seq.* and an equipment use policy (“Inventory” and  
19 “Policy” respectively) to govern the use by the Sheriff’s Department of the equipment covered  
20 by Government Code Sections 7070 *et seq.* and listed in the Inventory. A copy of the  
21 Inventory and Policy are in Board File No. 221062, and are incorporated herein by reference.

22 (b) The Board of Supervisors hereby finds that

23 (1) The equipment set forth in the Inventory is necessary because there is no  
24 reasonable alternative that can achieve the same objective of officer and civilian safety;

1 (2) The Policy will safeguard the public's welfare, safety, civil rights, and civil  
2 liberties;

3 (3) The equipment set forth in the Inventory is reasonably cost effective; and

4 (4) The Policy satisfies the requirements of AB 481 as codified in California  
5 Government Code Section 7070(d).

6 (c) The Board of Supervisors hereby approves the Policy for the Sheriff' that shall  
7 govern the use of equipment listed in the Inventory.

8  
9 Section 3. Annual Report, Posting, and Community Meeting.

10 (a) Annual Report. By no later than December 13, 2023, As required by state law,  
11 ~~within one year of the effective date of this ordinance,~~ the Sheriff shall submit to the Board an  
12 annual equipment report for each type of equipment in the Inventory, and annually thereafter  
13 for as long as the equipment is available for use.

14 (b) As required by state law, the Sheriff also shall post on its website the annual  
15 equipment report required for as long as the equipment is available for use. The annual  
16 equipment report shall, at a minimum, include the following information for the immediately  
17 preceding calendar year for each type of equipment included in the Inventory:

18 (1) A summary of how the equipment was used and the purpose of its use.

19 (2) A summary of any complaints or concerns received concerning the  
20 equipment.

21 (3) The results of any internal audits, any information about violations of the  
22 equipment use policy, and any actions taken in response.

23 (4) The total annual cost for each type of equipment, including acquisition,  
24 personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs,  
25

1 and from what source funds will be provided for the equipment in the calendar year following  
2 submission of the annual equipment report.

3 (5) The quantity possessed for each type of equipment.

4 (6) If the Sheriff intends to acquire additional equipment covered by  
5 Government Code Section 7070 in the next year, the quantity sought for each type of  
6 equipment.

7 (c) As required by state law, within 30 days of submitting and publicly releasing its  
8 required annual equipment report, the Sheriff shall hold at least one well-publicized and  
9 conveniently located community engagement meeting, at which the general public may  
10 discuss and ask questions regarding the annual equipment report and the Sheriff’s funding,  
11 acquisition, or use of equipment. A meeting before the Sheriff’s Department Oversight Board  
12 shall satisfy the requirements of this Section.

13 (d) California Government Code Section 7071(e)(1) requires the Board of Supervisors  
14 to review any ordinance approving the funding, acquisition, or use of covered equipment,  
15 annually, and determine whether to renew the ordinance consistent with applicable law. If the  
16 Board of Supervisors determines that a type of covered equipment identified in the Sheriff’s  
17 annual Law Enforcement Equipment Report has not complied with state law, Government  
18 Code Section 7071(e)(2) requires that the Board of Supervisors either disapprove a renewal  
19 of the authorization for that type of equipment or require modifications to the Law Enforcement  
20 Use of Equipment Policy to comply with state law.

21  
22 Section 4. The Administrative Code is hereby amended by revising Chapter 96H and  
23 Section 96H.1, to read as follows:

24 **CHAPTER 96H: ~~POLICE DEPARTMENT~~ LAW ENFORCEMENT EQUIPMENT**  
25 **POLICYIES**

1           **SEC. 96H.1. FUNDING, ACQUISITION, AND USE OF CERTAIN POLICE LAW**  
2 **ENFORCEMENT EQUIPMENT.**

3           (a) Pursuant to California Government Code Sections 7070 *et seq. et. seq.*, *law*  
4 *enforcement agencies, including* the Police Department *and Sheriff's Department, is are* required to  
5 obtain Board of Supervisors' approval of a Use of Equipment Policy prior to seeking funding  
6 for, acquisition of, and use of certain law enforcement equipment.

7           (b) The Police Department *and Sheriff's Department* shall *each* submit a draft Use of  
8 Equipment Policy to the Board of Supervisors for approval. Thereafter, *the Police*  
9 *Department each agency* shall review *its respective* approved *Law Enforcement* Use of Equipment  
10 Policy and submit a report regarding the covered equipment within one year of receiving  
11 Board of Supervisors approval, and annually thereafter for as long as the covered equipment  
12 is available for use. *Each agency seeking approval of its Use of Equipment Policy The Police*  
13 *Department* shall hold a public hearing on the Use of Equipment Policy and annual report prior  
14 to submitting the annual report to the Board of Supervisors for its review and approval. The  
15 Use of Equipment Policy and annual report shall be publicly available and posted on the  
16 *agency's Police Department's* website for at least 30 days prior to said hearing.

17           (c) The Board of Supervisors may only approve the Use of Equipment Policy governing  
18 the funding, acquisition, and use of certain law enforcement equipment consistent with the  
19 criteria set forth in state law, referenced in subsection (a).

20  
21           Section 5. Effective Date. This ordinance shall become effective 30 days after  
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
24 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 6. Undertaking for the General Welfare. In enacting and implementing this  
2 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
3 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it  
4 is liable in money damages to any person who claims that such breach proximately caused  
5 injury.

6  
7  
8 APPROVED AS TO FORM:  
9 DAVID CHIU, City Attorney

10 By: /s/ Jana Clark  
11 JANA CLARK  
12 Deputy City Attorney

13 n:\legana\as2023\2300049\01653059.docx

**LEGISLATIVE DIGEST**

(Revised 1/30/2023)

[Administrative Code - Funding, Acquisition, and Use of Certain Sheriff's Department Equipment]

**Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment of the Sheriff's Department consistent with the criteria set forth in state law, and approving the Sheriff's Department's Use of Equipment Policy.**

Existing Law

On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), codified in California Government Code Sections 7070 *et seq.*, requiring law enforcement agencies to obtain approval by ordinance of an equipment use policy to allow the use of particularly defined new or existing law enforcement equipment for a purpose, in a manner, or by a person not previously approved by the governing body. State law defines the specific equipment subject to this requirement, the minimum requirements for the policy, and the standards for the approval of the governing body. State law requires that the Sheriff submit to the Board an annual equipment report for each type of equipment in their inventory, and annually thereafter for as long as the equipment is available for use. State law requires that, within 30 days of submitting and publicly releasing the required annual equipment report, the Sheriff shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual equipment report and the Sheriff's funding, acquisition, or use of equipment.

Amendments to Current Law

This ordinance would amend Administrative Code Chapter 96H to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain Sheriff's Department equipment. In addition, this ordinance would include Board of Supervisors approval of the Sheriff's Department's Use of Equipment Policy. This ordinance would require that, no later than December 13, 2023, the Sheriff submit to the Board the annual equipment report for each type of equipment in their inventory, and annually thereafter for as long as the equipment is available for use. In addition, this ordinance would state that a meeting before the Sheriff's Department Oversight Body satisfies this requirement.

Background

On May 24, 2022, the Mayor introduced an ordinance to add Chapter 96G to the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain Police Department equipment. On December 13,



FILE NO. 221062

2022, the Board adopted the ordinance approving the Police Department's Use of Equipment Policy, the codified portion of which was designated Chapter 96H, including Section 96H.1.

n:\legana\as2022\2300049\01653215.docx



# OFFICE OF THE SHERIFF CITY AND COUNTY OF SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE  
ROOM 456, CITY HALL  
SAN FRANCISCO, CALIFORNIA 94102



**PAUL MIYAMOTO  
SHERIFF**

October 21, 2022  
Reference: CLC 2022-032

Angela Calvillo, Clerk of the Board  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

RE: Proposed Ordinance of San Francisco Sheriff's Office Equipment Use Policy

Dear Ms. Calvillo:

Attached please find the proposed ordinance for the Board of Supervisors approval. Assembly Bill 481 ("AB 481"), codified in California Government Code Sections 7070 *et seq.*, requires law enforcement agencies to obtain approval by ordinance of an equipment use policy to allow the use of particularly defined new or existing law enforcement equipment for a purpose, in a manner, or by a person not previously approved by the governing body.

The following is a list of accompanying documents:

- Proposed Ordinance
- Legislative Digest
- Military Equipment Policy
- Equipment Use Inventory List

The following person may be contacted regarding this matter: Margaret Baumgartner, Chief Legal Counsel, Work Cell: 415-470-1336, [margaret.baumgartner@sfgov.org](mailto:margaret.baumgartner@sfgov.org)

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret W. Baumgartner".

---

MARGARET W. BAUMGARTNER  
Chief Legal Counsel

# Military Equipment

## 704.1 PURPOSE AND SCOPE

**State**

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

### 704.1.1 DEFINITIONS

**State**

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

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

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

# San Francisco Sheriff's Department

## Administration and Field Operations Policy Manual

### *Military Equipment*

---

#### **704.2 POLICY**

##### **State**

It is the policy of the San Francisco Sheriff's Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

#### **704.3 MILITARY EQUIPMENT COORDINATOR**

##### **Best Practice**

The Sheriff has designated the Field Operations Division Captain in charge of the Special Operations unit 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 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 military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of San Francisco Sheriff's 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 Sheriff 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.

#### **704.4 MILITARY EQUIPMENT INVENTORY**

##### **State**

For purposes of transparency, the San Francisco Sheriff's Department has created an inventory and use policy for all equipment that could fall under the definition of military equipment. The inventory and use policy, as updated from time to time, is attached hereto.

#### **704.5 APPROVAL**

##### **State**

The Sheriff or the authorized designee will post the draft inventory and use policy on its website, and submit it to the San Francisco Board of Supervisors for approval, and will obtain approval prior to:

# San Francisco Sheriff's Department

## Administration and Field Operations Policy Manual

### *Military Equipment*

---

- (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.

#### **704.6 COORDINATION WITH OTHER JURISDICTIONS**

**State**

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

#### **704.7 ANNUAL REPORT**

**State**

The Sheriff or the authorized designee will submit a military equipment report to the governing body annually for every year military equipment is available for use (Government Code § 7072).

The Sheriff or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as 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.

#### **704.8 COMMUNITY ENGAGEMENT**

**State**

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



# San Francisco Sheriff's Office

## Annual Military Equipment List

April 2023

Each deployment/use shall be logged with all deployment details and reported to the Division Chief for review and to fulfill annual reporting requirements.

### SECTION 1: CURRENT INVENTORY

<b>A: Small Unmanned Aircraft Systems (UAS)</b>	
<b>1. Description</b>	An unmanned aircraft that is capable of sustaining directed flight designed for gathering information.
<b>2. Capability</b>	Small Unmanned Aircraft Systems (UAS) are portable systems flown autonomously without a pilot on board and controlled from an operator on the ground. They have shown to be a valuable resource to police and fire organizations by providing a bird's eye view of crime and/or disaster scenes that may not otherwise be seen. The UAS has the ability to launch quickly in dangerous situations, locate survivors, and send data about their whereabouts to responders on the ground. The Mavic 2 Enterprise Dual is a four rotary system that features a 24mm camera with a 1/2.3" 12MP sensor and FUR thermal imaging sensor. The cameras can capture up to Ultra High Definition 4K resolution video at 30fps, or thermal imaging images and temperature data. The Mavic 2 Enterprise Dual can achieve speeds of up to 44.7 mph, and the four-cell LiPo battery provides up to 31 minutes of flight time. The Mavic 2 Enterprise Dual also supports an OcuSync 2.0 video transmission system. Additionally, there are three modular accessories to include a spotlight, speaker, and beacon. The Mavic 2 Enterprise Dual also has omnidirectional obstacle sensing.
<b>3. Purpose</b>	A remotely controlled unmanned machine that operates in the air, which is utilized to enhance the safety of the community and deputies by providing visual support and situational awareness for law enforcement operations.
<b>4. Authorized Uses</b>	Deputies may use the UAS to gain crucial information during search and rescue, disaster response, barricaded subjects, hostage situations, or other high risk tactical operations so that they can make informed and sound decisions. The UAS may be used to make infrastructure assessments, gather and preserve evidence, or anytime a supervisor believes the use of a UAS would improve operational safety and incident stabilization. In all other instances, legal counsel should be consulted. Use of vision enhancement technology (e.g., thermal and other imaging technology) is permissible only in areas where there is no reasonable expectation of privacy, or when in compliance with a search warrant or court order. Use of the UAS must be authorized by the Incident Commander. UAS deployment should be considered on a case by case basis under the criteria for authorized use such as during specific incidents when the deployment of the UAS is believed to help mitigate the risk of injury to deputies or others. Each operational deployment



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>A: Small Unmanned Aircraft Systems (UAS)</b>	
	shall be included in the Annual Military Equipment Report that is submitted to the Board of Supervisors and will be reviewed by the Chief Deputy within 30 days. Only authorized UAS Operators shall be permitted to deploy the UAS. UAS Operators shall obtain approval from the FOD Chief or their designee prior to conducting a UAS deployment. The UAS shall not be used for surveillance of an individual without a court order or search warrant. The UAS shall never target a person based on race, religion, sexual gender or any individual characteristic. The UAS shall not be used as a force option and has no offensive capability. The UAS shall not be used during First Amendment activities unless the situation becomes objectively dangerous and unlawful.
<b>5. Training Requirements</b>	Ongoing training will be conducted to ensure operators acquire and maintain proficient UAS skills, knowledge of regulations, and safe operating procedures. Deputies shall train on the use of the UAS quarterly with both in the classroom learning and hands on training. Only operators who have completed the required training shall be authorized to operate the UAS. Only deputies who have been Part 107 Certified shall fly a drone during operations.
<b>6. Legal and Procedural Rules</b>	UAS operations shall only be conducted in accordance with the SFSO FAA Certificate of Waiver or Authorization (COA), or within the guidelines set out in Title 14 CFR, Part 107 (Code of Federal Regulations.)
<b>7. Fiscal impact</b>	Initial \$4800.00
<b>8. Lifespan</b>	Estimated 5 years. Purchased in 2020
<b>9. Number and Types</b>	Two DJI Mavic 2 Enterprise (Dual) w/Smart Controller and DJI Enterprise Shield Basic
<b>10. Additional Notes</b>	The UAS was not deployed in 2022.

<b>B: Mobile Command Vehicles</b>	
<b>1, Description</b>	Mobile Command Vehicles, consisting of a Mobile Command Vehicle and a Rapid Response Vehicle, are large trucks, which contain specialized equipment or have the ability to carry specialized equipment that can be used to coordinate events in real time.
<b>2. Capability</b>	These vehicles can be a mobile base of operation or command center. These vehicles contain specialized command, control, and communications equipment to assist with this mission.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>B: Mobile Command Vehicles</b>	
<b>3. Purpose</b>	The primary purpose of the Mobile Command Vehicles is to provide office space to coordinate resources during critical incidents and large events.
<b>4. Authorized Uses</b>	Mobile Command vehicles may be used anytime a command post may be needed at an event. These vehicles may also be used to transport equipment, transport personnel, to block a road, or for any other purpose that other patrol cars may be used for.
<b>5. Training Requirements</b>	A class B license is required to drive the Mobile Command Vehicle. A class C license is required to drive the Rapid Response Vehicle.
<b>6. Legal and Procedural Rules</b>	Mobile Command Vehicles are subject to the department "Emergency Vehicle Response and Pursuit Driving" and "Vehicle Collision Reports" policies. The Rapid Response Vehicle may only be deployed by a Special Response Team member. The Mobile Command Vehicle may only be deployed with authorization from the Fleet Unit and the Field Operations Division Captain or their designee.
<b>7. Fiscal impact</b>	<p>2013 Ford F59 Rapid Response Vehicle. Initial Cost: \$135,000. Average annual maintenance \$740.00. Current Mileage = 6310</p> <p>2012 Freightliner MT55 – Mobile Command Vehicle. Initial Cost: \$580,000. Average Annual Maintenance \$6100. Current Mileage = 7801</p>
<b>8. Lifespan</b>	20 Years
<b>9. Number and Types</b>	<p>One 2013 Ford F59 Rapid Response Vehicle</p> <p>One 2012 Freightliner MT55</p>
<b>10. Additional Notes</b>	The Mobile Command Vehicles were only used for training and not special operations in 2022.





# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>C: Breaching Shotgun</b>	
<b>1. Description</b>	The Remington 870 Police Magnum pump-action is a rugged 12 gauge with a short, tactical 18" barrel backed by a stout 3" chamber. The all-matte black gun is durable and rust-resistant. Both the pump action fore-end and stock are robust and tough synthetic.
<b>2. Capability</b>	Utilizing a shotgun for breaching offers tactical teams several advantages. It is quicker than many other breaching techniques. It is capable of destroying locks, hinges, or other devices that prevent entry into a room.
<b>3. Purpose</b>	Used by the SRT to defeat locked, barricaded or fortified locations allowing deputies to conduct rescues or high-risk forcible entries during high risk incidents.
<b>4. Authorized Uses</b>	<p>Breaching Shotguns shall not be used outside of the following:</p> <ol style="list-style-type: none"> <li>1. Training.</li> <li>2. Barricaded incidents where the person is resisting a detention/arrest.</li> <li>3. Active Shooter incidents.</li> <li>4. High Risk Warrants (warrants in which the SRT is used because of a known specific danger).</li> <li>5. High risk situations in which a fast and effective breach would allow for an immediate opening of the threshold with minimal risk.</li> <li>6. An SRT member who is authorized to use the breaching shotgun may find themselves in a position where the breaching shotgun must be used as a secondary weapon. Breaching shotguns are considered shotguns and are subject to the firearms and use of force policy. Breaching shotguns are meant for use on structures, and shall never be planned for as the primary weapon platform during an incident. Only SRT members who have completed a shotgun breacher course may deploy the breaching shotgun. The breaching shotgun may only be used with authorization from an SRT supervisor. When an SRT supervisor is not present and in the event of extraordinary circumstances where it is reasonable to believe that the use of the breaching shotgun could mitigate the risk of injury, direct action authority is granted for an SRT breacher to utilize their breaching options.</li> </ol> <p>The following variables should be considered prior to using the breaching shotgun and may deter the use of the breaching shotgun:</p> <ol style="list-style-type: none"> <li>1. The presence of elderly individuals.</li> <li>2. The presence of children.</li> <li>3. The presence of flammable or explosive objects.</li> </ol>



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>C: Breaching Shotgun</b>	
	4. The presence of individuals with physical, mental, or intellectual disabilities. 5. The presence of medically compromised people. 6. The presence of non-English speaking persons.
<b>5. Training Requirements</b>	SRT shotgun breachers must complete a POST certified SWAT school. SRT shotgun breachers must attend a shotgun breaching class. Shotgun breachers must do live fire training at least twice a year and have successfully completed the shotgun breaching qualification annually.
<b>6. Legal and Procedural Rules</b>	The breaching shotgun is a firearm and use must comply with the SFSO firearms policy.
<b>7. Fiscal impact</b>	Initial \$1272 <ul style="list-style-type: none"> <li>• \$636 each for the Breaching Shotguns</li> <li>• \$798 for Picatinny Rail</li> <li>• \$1400 for 425 Grain Rounds</li> <li>• \$1400 for Flash Bang Rounds</li> </ul>
<b>8. Lifespan</b>	No expiration date
<b>9. Number and Types</b>	Two Remington 870 Breacher Shotgun  One Picatinny rail on top of the receiver, Aimpoint T2  Breaching Shotgun Rounds: Royal Arms International – Compressed Copper Powder 425 Grain  160 rounds: Royal Arms – 12ga 82 grain “Flash-Bang Round”  Flash-Bang Rounds are used as a stand-off diversionary device. These are used as a diversion and can break windows. When used to break a window, SRT deputies shall first visually clear the area in front of the window so that there is no unintended injury when using the round. Flash Bang rounds are mainly used with executing a high risk warrant or hostage rescue. In rare instances of rioting, flash bang rounds may be used in compliance with AB481. These are not currently in use and no training program has been developed for them. No one is currently authorized to use this round.
<b>10. Additional Notes</b>	This equipment was not used outside of training during this 12 month period.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>D: .556 / .223 Rifles</b>	
<b>1. Description</b>	Lightweight, magazine-fed, gas operated rifle intended to be fired from the shoulder. These rifles can fire rounds with accuracy at greater distance than pistols.
<b>2. Capability</b>	These rifles provide deputies the ability to engage hostile suspects at distances greater than the effective distance of their handguns. These rifles are more accurate than pistols and can defeat soft body armor if needed.
<b>3. Purpose</b>	To more effectively and accurately address the increasing level of firepower and body armor utilized by violent suspects, the Sheriff's Office issues patrol rifles to qualified deputies as an additional and more immediate tactical response. In addition, the SRT uses these weapons as their primary weapon platform during all operations.
<b>4. Authorized Uses</b>	<p>Authorized use – Rifles are the primary weapon used by the SRT. Rifles are deployed for all SRT operations. Qualified non-SRT deputies may deploy their issued rifle in any circumstance where they can articulate a reasonable expectation that the rifle may be needed to respond to a threat to life or serious bodily injury. Situations when a non-SRT deputy may deploy a rifle include but are not limited to the following:</p> <ol style="list-style-type: none"> <li>1. Situations where there is a reasonable anticipation of an armed encounter.</li> <li>2. When a deputy is faced with a situation that may require accurate and effective fire at long range.</li> <li>3. Situations where there is a reasonable need to exceed a suspect's firepower.</li> <li>4. When a deputy reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage in order to prevent imminent threat of death or serious bodily injury.</li> <li>5. When there is a reasonable belief that the suspect may be wearing body armor and may have access to a weapon.</li> <li>6. To dispatch an animal.</li> </ol>
<b>5. Training Requirements</b>	<p>Special Response Team Training :</p> <ol style="list-style-type: none"> <li>1. SWAT Basic Course.</li> <li>2. POST certified rifle course.</li> <li>3. SRT members must attend and pass biannual rifle qualifications. (Twice a year.)</li> <li>4. SRT members that do not pass either course may not deploy a rifle until the course is passed.</li> <li>5. SRT members are given up to 10 scheduled range dates with hands on shooting range practice.</li> </ol> <p>Patrol rifle deputies :</p>



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>D: .556 / .223 Rifles</b>	
	<ol style="list-style-type: none"> <li>1. Deputies must successfully pass a POST certified rifle course. This class must satisfy POST requirements per section 33220(b).</li> <li>2. Deputies must attend and pass biannual rifle qualifications (twice a year.)</li> <li>3. SFSO 4 Hour patrol rifle refresher course that is POST certified.</li> </ol>
<b>6. Legal and Procedural Rules</b>	Rifle usage must follow the guidelines of the Use of Force Policy, Firearms Policy, Penal Code Section 835a(c), and Penal Code Section 33220(b).
<b>7. Fiscal impact</b>	Cost reflected below.
<b>8. Lifespan</b>	Approximately 15 years
<b>9. Number and Types</b>	<p>Four Aero Precision M16-A4. Initial cost \$1005.00.</p> <p>Eight Bushmaster XM15-E2S. Initial Cost 1400.00.</p> <p>Six Bushmaster XM15-E2S Lower receiver. Initial Cost \$1400.00.</p> <p>Twelve Colt M4 Carbine. Initial Cost \$1100.</p> <p>Ten EPR-LE6933 5.56mm. Initial Cost \$1245.</p> <p>Four Colt Commando 5.56mm Initial Cost \$1245.</p> <p>Eleven Colt AR15A3 5.56mm lower receiver, used for marking cartridges in training.</p> <p>Twenty six FN Herstal FN15 5.56mm. Initial Cost \$974.00</p> <p>Four Geissele Government 5.56mm. Initial Cost \$1084.00</p> <p>Five Geissele URG-1. Initial Cost \$1061.65</p> <p>Ammunition</p> <p>500 Cases, each case is 500 rounds: Federal .223 Remington 55 Grain \$203 per 500</p> <p>500 Cases, each case is 500 rounds: Federal .223 Remington 62 Grain \$209 per 500</p> <p>40 Cases, each case is 500 rounds: Speer .223 75 Grain \$286 per 500</p> <p>40 Cases, each case is 500 rounds: Speer .223 62 Grain \$272 per 500</p>



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>D: .556 / .223 Rifles</b>	
	20 Cases of 500 rounds: Federal .223 55 Grain Frangible \$297 per 500
<b>10. Additional Notes</b>	While this weapon was deployed (brought into the field) many times, it was never fired during this 12 month period.

<b>E: Sniper rifles</b>	
<b>1. Description</b>	<p>The LWRC Rapid Engagement Precision Rifle (R.E.P.R.) is a full spectrum weapon system designed to put 7.62 mm NATO rounds on target in a variety of real world applications. The R.E.P.R. is built for high performance.</p> <p>The Colt Modular Carbine is a multi-caliber, single serial modular weapon system which can fire a 7.62 x 51 or 5.56 x 54 NATO when the upper receiver group is swapped out.</p>
<b>2. Capability</b>	The sniper rifle provides SRT snipers the ability to engage hostile suspects at a great distance with accuracy.
<b>3. Purpose</b>	To allow SRT snipers to make precision shots at greater distances.
<b>4. Authorized Uses</b>	The sniper rifle is used exclusively by the SRT sniper team for high risk SRT events and special events where “over watch” is appropriate.
<b>5. Training Requirements</b>	SRT snipers must successfully complete a POST certified Sniper course. SRT snipers conduct live fire training throughout the training cycle and must pass a quarterly qualification as dictated by the sniper team leader.
<b>6. Legal and Procedural Rules</b>	Sniper Rifles may only be deployed by SRT sniper team members. Rifle usage must follow the guidelines of the Use of Force Policy, Firearms Policy, Penal Code Section 835a(c), and Penal Code Section 33220(b).
<b>7. Fiscal impact</b>	Cost reflected below.
<b>8. Lifespan</b>	Approximately 15 years
<b>9. Number and Types</b>	<p>One Colt Modular 7.62. Unknown cost. This is not currently in use.</p> <p>Four LWRC REPR 7.62. Total initial cost for four, \$5000.</p> <p>Two Remington 700 PSS. Initial cost unknown as it was purchased decades ago. This rifle is past its lifespan. It cannot be used until it has been refurbished. \$1500 to have it refurbished.</p> <p>One GA Precision Custom. Initial cost \$6,000.</p>



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>E: Sniper rifles</b>	
	<p>Ammunition – Rifle ammunition shall only be used in accordance with the rifle policies and procedures.</p> <p>24 cases, each case is 200 rounds: Federal .308 Winchester \$279 per 200</p> <p>25 cases, each case is 500 rounds: Federal Winchester .308 168 grain. \$445 per 500</p>
<b>10. Additional Notes</b>	This weapon was deployed for training but was not deployed outside of training during this 12 month period.

<b>F: MP-5 Sub-Machine Guns</b>	
<b>1. Description</b>	A compact, modular, lightweight, shoulder fired, submachine gun capable of semi-automatic or automatic fire chambered in 9mm.
<b>2. Capability</b>	The MP-5 provides the ability to deliver precision gun fire with a shoulder fired weapons system that is accurate, reliable, and safe. Its compact design allows for ease of maneuverability when operating in the open or within interior environments.
<b>3. Purpose</b>	The purpose of the MP5 is to provide SRT members a firearm capable of firing 9mm rounds easier and with more accuracy than the issued pistol.
<b>4. Authorized Uses</b>	The MP-5 is authorized for use only by SRT. If this weapon is refurbished and authorized for use by the Range Master, the MP-5 may be used for any SRT operation with permission from the SRT Commander. This weapon system was the primary weapon for SWAT teams through the 80's. This weapons system is currently phased out as it is over 20 years old and not being maintained. It is no longer the primary weapon for the SRT and no SRT members are currently authorized to deploy the MP-5.
<b>5. Training Requirements</b>	SRT members who deploy the MP-5 must pass a department qualification annually in addition to live fire training at the SRT range training days. There are currently no deputies who meet this standard.
<b>6. Legal and Procedural Rules</b>	MP-5 usage must follow the guidelines of the Use of Force Policy, Firearms Policy, Penal Code Section 835a(c), and Penal Code Section 33220(b).
<b>7. Fiscal impact</b>	Unknown initial costs, no annual cost.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>F: MP-5 Sub-Machine Guns</b>	
<b>8. Lifespan</b>	Approximately 50,000 rounds.
<b>9. Number and Types</b>	Six Heckler and Koch MP-5  Two Heckler and Koch MP-5
<b>10. Additional Notes</b>	This was not deployed during this 12 month period.

<b>G: Automatic Pistols</b>	
<b>1. Description</b>	The Glock 18 is a full size 9x19mm pistol with the added ability for automatic fire. The Glock 18 has the same dimensions as the Glock 17 and looks very similar. Glock 18s are fitted with a compensated barrel in order to reduce recoil.
<b>2. Capability</b>	The G18 allows a pistol shooter to fire in full automatic firing mode.
<b>3. Purpose</b>	To provide the deputy the ability to fire multiple rounds on target in a faster time frame than the issued pistol.
<b>4. Authorized Uses</b>	This weapon is not authorized for use as formalized training has not been certified or approved by the Sheriff.
<b>5. Training Requirements</b>	A training program has not been established for this weapon therefore no one can deploy with it.
<b>6. Legal and Procedural Rules</b>	This weapon has no authorized procedures and may not be used
<b>7. Fiscal impact</b>	Unknown initial costs, no annual cost.
<b>8. Lifespan</b>	Approximately 50,000 rounds.
<b>9. Number and Types</b>	Three Glock G18
<b>10. Additional Notes</b>	This was not deployed during this 12 month period.

<b>H: Diversionary Devices</b>	
<b>1. Description</b>	An ATF-controlled Class-C explosive device that emits a bright light and thunderous noise to distract potentially dangerous individuals.
<b>2. Capability</b>	Produces a 165-180db and 6-8 million candela of light output.
<b>3. Purpose</b>	Distraction devices shall be used for distraction and surprise purposes only.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>H: Diversionary Devices</b>	
<b>4. Authorized Uses</b>	<p>Flash Bangs may be used by SRT whenever the use of a diversion would help facilitate entry into a room/structure in high risk situations (high risk situations are situations where there is an elevated risk of injury to all involved due to knowledge of weapons, violence, or active resistance.) Such situations may include barricaded subjects where the deputy can articulate an elevated level of risk, hostage scenarios, high risk warrant services, or high risk building searches. Diversionary devices may be used to distract, confuse, and disorient subjects. Diversionary/distraction devices may be used when an SRT supervisor reasonably believes the use of the distraction device would lessen the risk of injury to all involved (deputies and others) during planned or exigent circumstances (such as high risk building searches or active shooter events.) Distraction devices must be used with caution and reasonable efforts to avoid injury. Deputies must know where they are placing the device and should visually clear the space, if safe to do, prior to deploying the device. SRT members deploying a flashbang should reasonably gather as much information on the area the flash-bang will be deployed in to lessen the risk of injury to others. This may include a visual inspection of the area to help lessen the risk to persons in the area.</p> <p>The following variables should be considered prior to using flash-bangs and may deter the use of the flash-bang:</p> <ol style="list-style-type: none"> <li>1. The presence of elderly individuals.</li> <li>2. The presence of children.</li> <li>3. The presence of flammable or explosive objects.</li> <li>4. The presence of individuals with physical, mental, or intellectual disabilities.</li> <li>5. The presence of medically compromised people.</li> <li>6. The presence of non-English speaking persons.</li> </ol>
<b>5. Training Requirements</b>	SRT members must successfully complete an 80 hour POST certified SWAT School. In addition, SRT members train on the use of flash-bangs during the SRT annual training cycle. This training is both hands-on and classroom training.
<b>6. Legal and Procedural Rules</b>	In accordance with AB 481, flash-bangs shall not be used by deputies to disperse any assembly, protest, or demonstration, except to defend against a threat to life or serious bodily injury to any individual (including a peace officer), or to bring an objectively dangerous and unlawful situation safely and effectively under control. All use of force must follow the established policy SFSD 300 Use of Force.
<b>7. Fiscal impact</b>	Initial: \$1700. Annual \$240.00 for replacements.
<b>8. Lifespan</b>	5 Years





# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>H: Diversionary Devices</b>	
<b>9. Number and Types</b>	<p>Six CTS model 7290 Mini M single bangs</p> <p>Nine CTS model 7290-2 Mini double bangs</p> <p>Ten CTS model 7290 Single bangs</p> <p>12 CTS model 7290-7 Seven bangs</p>
<b>10. Additional Notes</b>	This was not deployed during this 12 month period.

<b>I: 40mm Chemical Agent Launcher</b>	
<b>1. Description</b>	M203 40mm stand-alone weapon is designed as a stand-alone weapon system, it includes the LMT frame for rail mounted M203. Utilizes 9" 40mm 1:48" RH twist barrel. Built of aerospace aluminum it includes LMT SOPMOD stock, LMT ergonomic grip and red dot sight.
<b>2. Capability</b>	The 40mm launcher affords the ability to fire a variety of less lethal chemicals and impact munitions from distance.
<b>3. Purpose</b>	The M203 is used to control subjects who are violent or who demonstrate the intent to be violent, by deploying chemical agents from a distance. By deploying chemical agents, the M203 is used to minimize the potential for injuries by reducing the need for physical confrontation. The M203 is currently used for chemical agents only. Chemical agents are used to drive a person or persons from a structure or location, to prevent an armed person from accurately firing at officers or other persons, and to prevent further violence from a violent person. The 40mm launcher may not currently be used to fire impact weapons.
<b>4. Authorized Uses</b>	40mm launchers shall only be used to disperse chemical agents. When outside of a custodial setting and dealing in crowd control situations, 40mm launchers shall only be deployed by a peace officer that has received training on their proper use by POST for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control. Launched chemical agents shall not be used solely due to verbal threats. Launched chemical agents may be used to stop violent rioting, hostage situations, a hostile jail takeover (any time a section of jail becomes unlawfully controlled by one or more inmates), and criminal barricaded situations. Launched chemical agents may only be used by the SRT when authorized by an SRT supervisor or SRT Team Leader.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>I: 40mm Chemical Agent Launcher</b>	
	<p>The following variables should be considered and may deter from the use of chemical agents prior to using chemical agents:</p> <ol style="list-style-type: none"> <li>1. The presence of elderly individuals.</li> <li>2. The presence of children.</li> <li>3. The presence of individuals with physical, mental, or intellectual disabilities.</li> <li>4. The presence of medically compromised people.</li> <li>5. The presence of non-English speaking persons.</li> </ol>
<b>5. Training Requirements</b>	SRT members who use the 40mm launcher during crowd control situations shall complete a POST certified SWAT school and continue training on chemical agents during the annual training cycle. SRT members must also be trained in the proper use of chemical agents for crowd control by a peace officer that has received POST certified training.
<b>6. Legal and Procedural Rules</b>	Use of launched chemical agents shall be consistent with Penal Code Section 13652, and AB 481. All use of force must follow the established policy SFSD 300 Use of Force.
<b>7. Fiscal impact</b>	Cost reflected below.
<b>8. Lifespan</b>	Approximately 20 years
<b>9. Number and Types</b>	<p>LMT 40mm Tactical Single Launcher : \$1100 each (2 purchased)</p> <p>FN 40GL Enhanced Grenade Launcher : \$1800 each (1 purchased)</p> <p>M203 40mm Launcher : \$1800 (2 purchased)</p>
<b>10. Additional Notes</b>	This equipment was not used outside of training during this 12 month period.

<b>J: Launched Chemical Agents</b>	
<b>1. Description</b>	These less-lethal options address a wide range of scenarios from assisting tactical teams in displacing or detecting barricaded subjects to aiding riot control units in correctional environments.
<b>2. Capability</b>	Dispersal of a chemical irritant can assist in stopping violent actions. Chemical agents can be launched from a safe distance.
<b>3. Purpose</b>	Same as stated above in section I-3.
<b>4. Authorized Uses</b>	Same as stated in section I-4.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>J: Launched Chemical Agents</b>	
<b>5. Training Requirements</b>	Same as stated in section I-5.
<b>6. Legal and Procedural Rules</b>	Same as stated in section I-6.
<b>7. Fiscal impact</b>	Cost reflected below.
<b>8. Lifespan</b>	Approximately 50,000 rounds.
<b>9. Number and Types</b>	<p>50: CTS 40MM Powder Projectile 4431 \$1148.50.</p> <p>50: CTS 40MM CS LIQUID PROJECTILE, PART # 4330 \$1099.</p> <p>50: CTS 40MM OC POWDER PROJECTILE, PART # 4441 \$1148.</p> <p>50: CTS 40MM OC LIQUID PROJECTILE, PART # 4340 \$1104.</p> <p>50: CTS 40MM INERT POWDER PROJECTILE, PART # 4401 \$671.</p> <p>50: CTS 40MM INERT LIQUID PROJECTILE, PART # 4300 \$680.10.</p> <p>33: Pocket Tactical CS Grenade – smaller and may be hand deployed, \$29.40 each.</p> <p>50: 37mm AR-2 Pyrotechnic CS Smoke Munition, \$24.99 per round.</p> <p>280: 37 mm AR-3 Valve Impact Baton Munition CS, \$24.99 per round.</p> <p>50: 37mm AR-4 Pyrotechnic smoke (not a chemical irritant), \$24.99 round.</p> <p>75: 37mm AR-6 Muzzle Blast Munition, \$24.99 per round.</p>
<b>10. Additional Notes</b>	None

<b>K: Arwen 37mm Impact Weapon Launcher</b>	
<b>1. Description</b>	The Arwen 37 weapon is light: 3.11kg unloaded or 3.83kg loaded. It is finished in matte black. It is very easy to use, being suitable for right or left handed operators. Exposed parts are made of anodized aluminum alloy and plastics, which are unaffected by damp environments.
<b>2. Capability</b>	The Arwen 37 launcher features a revolver like rotary magazine which holds five munitions and which allows for a rate of fire of five rounds in four seconds without reloading.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>K: Arwen 37mm Impact Weapon Launcher</b>	
<b>3. Purpose</b>	<p>The Arwen is used to deploy impact weapons to subjects demonstrating assaultive behavior. It is a less lethal option to resolve critical situations and prevent serious bodily injury or loss of life in high risk custody and/or field operations. The current authorized use for this weapon is to fire less lethal kinetic energy munitions.</p>
<b>4. Authorized Uses</b>	<p>The Arwen may not be used solely due to a verbal threat or noncompliance with a directive. Deployment for crowd control or civil unrest shall be consistent with Penal Code Section 13652. A deputy shall issue a verbal warning of the intended use of the Arwen before use, unless the issuance of the warning would endanger the safety of deputies, to stop injury or the destruction of property. Non-issuance of a warning shall not be due to convenience. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other deputies and individuals that the Arwen is being deployed. In cases where the targeted person does not speak English, reasonable attempts to provide translation for the warning will be made. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The Arwen shall not be aimed at the head, neck or any other vital organs, except when there is an objectively reasonable belief the suspect poses an immediate threat of serious bodily injury or death to others.</p> <p>The Arwen may be deployed against individuals in the following circumstances:</p> <ol style="list-style-type: none"><li>1. Individuals demonstrating assaultive behavior.</li><li>2. There is a reasonable belief that the individual possesses or has immediate access to a deadly weapon and intends violence.</li><li>3. During a cell extraction to forcibly remove a resistive and violent inmate from a jail cell.</li><li>4. To suppress a jail disturbance.</li><li>5. To control a person who poses an imminent threat.</li><li>6. To incapacitate a ring leader or instigator in a jail disturbance/riot.</li><li>7. To prevent an individual from harming themselves.</li><li>8. To bring an objectively dangerous and unlawful situation safely and effectively under control.</li><li>9. In crowd control deployments, the launcher shall not be used due to a violation of an imposed curfew, a verbal threat, or noncompliance with a law enforcement directive, consistent with Penal Code Section 13652. In addition, all requirements and considerations consistent with AB 481 shall be followed when bringing an objectively dangerous and unlawful situation safely and effectively under control.</li></ol>



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>K: Arwen 37mm Impact Weapon Launcher</b>	
	<p>In high risk barricade situations where there is a subject that is known to have a weapon and is actively resisting lawful orders, an Arwen may be used to break a window or knock down items in order to provide SRT with a clearer view of the inside of a structure or to gain access. The following variables should be considered and may deter from use of the Arwen prior to using the Arwen:</p> <ol style="list-style-type: none"> <li>1. The presence of elderly individuals.</li> <li>2. The presence of children.</li> <li>3. The presence of individuals with physical, mental, or intellectual disabilities.</li> <li>4. The presence of medically compromised people.</li> <li>5. The presence of non-English speaking persons</li> </ol>
<b>5. Training Requirements</b>	Emergency Services Unit members must complete department training consisting of both classroom and hands on training in the use of the Arwen (SFSD qualification every 2 years.)
<b>6. Legal and Procedural Rules</b>	Use of the ARWEN 37 shall be consistent with Penal Code Section 13652, Penal Code Section 835(a) and AB 481. All use of force must follow the established policy SFSD 300 Use of Force.
<b>7. Fiscal impact</b>	Cost of 6 launchers \$18,450 (\$3,075 per unit)
<b>8. Lifespan</b>	Approximately 50,000 rounds.
<b>9. Number and Types</b>	18 Arwen 37 Mark 3.
<b>10. Additional Notes</b>	This equipment was not used outside of training during this 12 month period.

<b>L: Less Lethal Impact Munitions</b>	
<b>1. Description</b>	The AR-1 munition consists of a proprietary polymer baton which is intended to be deployed as a means of pain compliance through direct impact at ranges up to 30 yards. It is a smaller diameter than military 40mm.
<b>2. Capability</b>	Munitions capable of accurate less lethal strikes to specific target areas to reduce the risks posed by human behavior.
<b>3. Purpose</b>	Less lethal option to resolve critical situations (both in and out of custody) and prevent serious bodily injury or loss of life in high risk custody and/or field operations.
<b>4. Authorized Uses</b>	The less lethal impact munitions shall only be used in conjunction with the 37mm launcher. Authorized uses are stated in section 11-d.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>L: Less Lethal Impact Munitions</b>	
<b>5. Training Requirements</b>	Training is as stated in section 11-e.
<b>6. Legal and Procedural Rules</b>	Use of the Arwen 37 shall be consistent with Penal Code Section 13652, Penal Code Section 835(a) and AB 481 and the Use of Force Policy.
<b>7. Fiscal impact</b>	Cost reflected below.
<b>8. Lifespan</b>	Approximately 50,000 rounds.
<b>9. Number and Types</b>	720 AR-1 Baton Munition at \$24.99 per round
<b>10. Additional Notes</b>	None

<b>M: Unmanned, Remotely Piloted Ground Vehicle</b>	
<b>1. Description</b>	Small and durable, the Recon Scout Throw Robot weighs just 1.2lbs yet can survive throws of 120 feet and deliver video reconnaissance within dangerous environments.
<b>2. Capability</b>	The Scout micro-robot is deployed during high-risk operations involving surveillance, barricaded subjects, hostage situations and narcotics raids to provide situational awareness and standoff distance to tactical operators. The Scout can be thrown up to 100 feet and cannot see in darkness. Once deployed, operators can direct the ultra-quiet robot to move through an environment and transmit video reconnaissance through walls and doors to a small, handheld operator control unit. This capability can reveal the location of armed subjects, the condition of hostages and the layout of rooms – all of which is critical to planning and executing the tactical operation. The Scout cannot record and has no offensive capability. The Scout cannot transmit sound.
<b>3. Purpose</b>	A remotely controlled unmanned machine that operates on the ground, which can provide information for the Incident Commander to make sound decisions.
<b>4. Authorized Uses</b>	Outside of training, the Scout can only be used by members of the SRT for any operation in which the tactical commander believes that a lawful view from a distance would reduce the risk of injury to all involved. The Scout robot shall not be used as a force option. The Scout robot is obsolete and no longer used due to its outdated technology.
<b>5. Training Requirements</b>	When the SCOUT is operational, SRT members train with the SCOUT during their monthly training days.
<b>6. Legal and Procedural Rules</b>	Use of the Scout is for official law enforcement purposes and in a manner that respects the privacy and 4 <sup>th</sup> amendment rights of our community.



# San Francisco Sheriff's Office

## Annual Military Equipment List

<b>M: Unmanned, Remotely Piloted Ground Vehicle</b>	
<b>7. Fiscal impact</b>	Purchased in 2008 for an unknown initial cost
<b>8. Lifespan</b>	10 years. This robot is past its usable life and is no longer used.
<b>9. Number and Types</b>	1 SCOUT
<b>10. Additional Notes</b>	This equipment was not used during this 12 month period

<b>Section 2: Definitions</b>	
<b>Barricaded Subject</b>	A person or persons in a location that provides a means of spatial separation that assists them in avoiding apprehension from law enforcement. In short, a barricaded subject is in a position that inhibits law enforcement from easily taking them into custody when there is a legal need to seize the person.
<b>High Risk incidents</b>	Incidents of elevated risk due to knowledge of past behavior, potential weapons, gang affiliation, or other factors that raise the level of potential physical harm to deputies or other persons, or the destruction of property or evidence.



# San Francisco Sheriff's Office

## Annual Military Equipment List

### Military Equipment

#### 704.1 PURPOSE AND SCOPE

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

#### 704.1.1

##### DEFINITIONS

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

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

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





# San Francisco Sheriff's Office

## Annual Military Equipment List

### 704.2 POLICY

It is the policy of the San Francisco Sheriff's Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

### 704.3 MILITARY EQUIPMENT COORDINATOR

The Sheriff 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 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 military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of San Francisco Sheriff's 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 Sheriff 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.

### 704.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department: [Link to Military Equipment Inventory Form](#)

### 704.5 APPROVAL

The Sheriff 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 Sheriff or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any



# San Francisco Sheriff's Office

## Annual Military Equipment List

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.

### **704.6 COORDINATION WITH OTHER JURISDICTIONS**

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

### **704.7 ANNUAL REPORT**

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

The Sheriff 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. 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.

### **704.8 COMMUNITY ENGAGEMENT**

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



# San Francisco Sheriff's Office Equipment Presentation

## OBJECTIVES

- To Seek approval from the Board of Supervisors Rules Committee for continued use of military style equipment as defined in California State Assembly Bill 481.
- To outline and describe the current equipment utilized by the San Francisco Sheriff's Office.
- To outline the equipment described in State Assembly Bill 481 currently available to the San Francisco Sheriff's Office to maintain public safety and professional law enforcement services to our community.
- To emphasize that the San Francisco Sheriff's Office does not participate in the 1033 program for procuring surplus military equipment.



## SFSO Special Response Team (SRT)

- A majority of the equipment described in AB-481 is utilized exclusively by the San Francisco Sheriff's Office Special Response Team (SRT.)
- The SRT maintains the highest level of professionalism and tactical readiness through the discipline of sound tactical strategies and leading-edge training.

The San Francisco Sheriff's Office maintains a component that is responsible for providing a tactical response to critical and high-risk incidents and details where such a response is the most suitable approach. That component, consisting of suitably trained and equipped deputy sheriffs, is known as the Special Response Team. The SRT will manage such events utilizing tactics and strategies that emphasize control, containment, resolution, and the protection of life and property.

The SRT, commonly known as the SWAT team, uses military equipment in order to accomplish its mission in the safest possible way.



## Equipment List Presentation

---

- Small Unmanned Aircraft System
- Recon Scout Robot
- Mobile Command Vehicles
- Breaching Shotgun
- Breaching Shotgun Rounds
- .556 / .223 Rifles
- 7.62mm rifles
- Other Listed Firearms
- Diversionary Devices
- 40 mm Launchers
- Chemical Agents
- 37 mm Launchers Arwen
- Less Lethal Impact Munitions
- Ammunition



## Small Unmanned Aircraft Systems

---

### Usage:

Deputies may use the UAS to gain crucial information during critical incidents, search and rescue, disaster response, barricaded subjects, hostage situations, or other high risk tactical operations so that they can make informed and sound decisions.

Use of vision enhancement technology (e.g., thermal and other imaging technology) is permissible only in areas where there is no reasonable expectation of privacy, or when in compliance with a search warrant or court-order. UAS deployment should be considered on a case by case basis under the criteria for authorized use such as during specific incidents when an aerial view would assist officers or Incident commanders.



**Fiscal Impact:** Initial Cost of Purchase \$4800.00

**Lifespan:** Estimated 5 Years | **Amount:** 2



## Capability

---

Small Unmanned Aircraft Systems (UAS) are portable systems flown autonomously without a pilot onboard and controlled from an operator on the ground. They have shown to be a valuable resource to police and fire organizations by providing a bird's eye view of crime and/or disaster scenes that may not otherwise be seen. The UAS has the ability to launch quickly in dangerous situations, locate survivors, and send data about their whereabouts to responders on the ground.



**Fiscal Impact:** Initial Cost of Purchase \$4800.00

**Lifespan:** Estimated 5 Years | **Amount:** 2



## Training Requirements

---

Only authorized UAS Operators shall be permitted to deploy the UAS. UAS Operators shall obtain supervisor approval prior to conducting a UAS deployment. UAS operations shall only be conducted in accordance with the San Francisco Sheriff's Department FAA Certificate of Waiver or Authorization (COA), or within the guidelines set out in Title 14 CFR, Part 107 (Code of Federal Regulations.) Training will be conducted within established guidelines to ensure operators acquire and maintain proficient UAS skills and knowledge of regulations and safe operating procedures. Only Operators who have completed the required training shall be authorized to operate the UAS. Part 107 Certified / FAA requirement.



**Fiscal Impact:** Initial Cost of Purchase \$4800.00  
**Lifespan:** Estimated 5 Years | **Amount:** 2





## Recon Scout Robot

---

### **Description:**

The Recon Scout robot is a small remotely control robot with a camera affixed which transmits video to a small handheld portable screen.

### **Capability:**

The Scout can be thrown up to 100 feet, transmit video through walls to give Special Response Team members important information regarding scene safety. The scout has no offensive capability. This Scout is old, obsolete, and no longer functions.



**Fiscal Impact:** Initial cost unknown in 2008. No annual cost as this is not used.

**Lifespan:** 10 Years (Passed Lifespan) | **Amount:** 1



## Authorized Use

---

SRT members may use the scout to gain information in any lawful manner whenever the SRT commander feels that the information gained may reduce the risk for potential injury during an operation. The Scout may be used for reconnaissance only and cannot be used as a force option.



**Fiscal Impact:** Initial cost unknown in 2008. No annual cost as this is not used.

**Lifespan:** 10 Years (Passed Lifespan) | **Amount:** 1



## 2012 Freightliner MT55

### Usage:

Used as an Incident Command Post or planned/unplanned events.

### Capability:

These vehicles can be a base of operations based on their communication systems, ability to have planners of the event secluded to manage the event, and equipment storage capability.

### Training Requirements:

Current Class B license



**Fiscal Impact:** Initial cost \$580,000. Estimated annual cost (not including repairs) \$6100.

**Lifespan:** 200,000 Miles| **Amount:** 1



## 2013 Ford F59

---

### Usage:

Equipment transport. Potential Command Post

### Capability:

This non-armored vehicle is primarily used to transport equipment and personnel.

### Training Requirements:

Current Class C license



**Fiscal Impact:** Initial cost \$135,000. Estimated annual cost (not including repairs) \$740.

**Lifespan:** 200,000 Miles | **Amount:** 1



## Breaching Shotgun

---

### **Usage:**

Used **ONLY** by trained members within the SRT to defeat locked, barricaded or fortified locations allowing deputies to conduct rescues or high-risk forcible entries during high risk and critical incidents. Breaching slugs shall not be utilized outside of training, criminal apprehensions, critical incidents, exigent circumstances or executing a warrant. Deployed primarily as a breaching tool but may be used as a lethal force option under exigent circumstances.



***Fiscal Impact:*** Initial \$1266. Minimal maintenance costs

***Lifespan:*** No Expiration| ***Amount:*** 2



## Breaching Shotgun

---

### **Capability:**

Utilizing a shotgun for breaching offers tactical teams several advantages. It is quicker than manual breaching, jamb spreading or ramming and is safer and requires less training than thermal and explosive entry. It is capable of destroying locks, hinges, or other devices that prevent entry into a room

### **Training Requirements:**

Completion of a Shotgun breaching course. Ongoing training during the SRT annual training cycle



**Fiscal Impact:** Initial \$1266. Minimal maintenance costs

**Lifespan:** No Expiration| **Amount:** 2



## Breaching Slugs: Royal Arms International- Compressed Copper Powder – 425 Grain

---

### Usage:

Exclusively used by the SRT when a forced entry is necessary for a successful tactical mission. SFSD-02-06, SFSD-300, SFSO Directive 08072022-1

### Capability:

Used to defeat heavy doors, metal doors, locks, deadbolts, and hinges. Can allow deputies immediate entry with minimal risk to victims, deputies, and suspects.

### Training Requirements:

Completion of a POST Certified shotgun breaching course. On going training during the annual training cycle.



**Fiscal Impact:** Estimated annual cost 350.00  
**Lifespan:** N/A | **Amount:** 200 Rounds Royal Arms International – Compressed Copper Powder 425 Grain 160 rounds : Royal Arms – 12ga 82 grain Flash Bang Round



## Specialized Firearms

### **Purpose and Scope:**

To more effectively and accurately address the increasing level of firepower and body armor utilized by violent suspects, the San Francisco Sheriff's Office issues patrol rifles to qualified deputies as an additional and more immediate tactical resource. This equipment safeguards the public's welfare, safety, civil rights, and civil liberties.

Firearms and their corresponding ammunition are used to defend against an imminent threat of death or serious bodily injury. However, some firearms that are in the possession of the San Francisco Sheriff's Office have other capabilities and are more specialized. These weapons have greater restrictions on use and require additional training to deploy and use.

Rifles that are in the inventory of the SFSO are issued to qualified individual sworn employees. There are no "pooled" rifles. Each employee that is issued a rifle is chosen based on unit and need within the SFSO.

Submachine guns and select fire pistols are in the inventory of the SFSO but are not issued or deployed at this time.



*Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code.*





## **Authorized Uses**

Deputies may deploy their issued rifle in any circumstance where he/she can articulate a reasonable expectation that the rifle may be needed.

## **Deadly Force (High)**

- “Force with Substantial Risk of SBI/Death”
- Objectively Reasonable under TOC; Defense of Self/Others; CA PC §835a
- + Active Resistance + Threat of SBI/Death
- Also: Fleeing Felon = Probable Cause to believe violent felon/imminent threat

## **Examples of general guidelines for deploying a rifle may include, but are not limited to:**

- Situations where the deputy reasonably anticipates an armed encounter
- When a deputy is faced with a situation that may require accurate and effective fire at long range.
- Situations where a deputy reasonably expects the need to exceed a suspect's firepower.
- When a deputy reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- When a deputy reasonably believes that the suspect may be wearing body armor.
- When authorized and requested by a supervisor.
- When needed to dispatch an animal.



## Laws Governing Use

---

- **835 a(c) CA Penal Code**

(1) Notwithstanding subdivision (b), a peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:

(A) To defend against an imminent threat of death or serious bodily injury to the officer or to another person.

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



## **CA Penal Code 33220(b)**

(b) The possession of short-barreled rifles and short-barreled shotguns by peace officer members of a police department, sheriff's office, marshal's office, the California Highway Patrol, the Department of Justice, or the Department of Corrections and Rehabilitation, when on duty and the use is authorized by the agency and is within the course and scope of their duties, and the officers have completed a training course in the use of these weapons certified by the Commission on Peace Officer Standards and Training.

## **Patrol Rifle Training**

The San Francisco Sheriff's Office requires the following:

- Deputies must successfully pass a Peace Officer Standards and Training (POST) certified basic rifle course. This class must satisfy CA Penal Code requirements per section 33220(b).
- Deputies must attend and pass biannual rifle qualifications.
- The SFSO offers a 4hr. Rifle Refresher Update course that is certified through POST (2430-32081)
- Deputies that do not pass either of the courses, may not deploy a rifle.



## Equipment Carried by Specialized Personnel

SFSO firearms that are capable of firing semi automatically and sustained modes of fire are issued only to the members of the Special Response Team or at the discretion of the Sheriff. These firearms require additional training beyond a patrol rifle:

- Bushmaster XM15-E2S
- Colt M4 Carbine
- Colt Modular (Stored in armory but not deployable)
- Colt Commando
- Geissele URG-1
- Glock 18 (Stored in armory but not deployable)
- Heckler and Koch Mp5 & MP5 SD (Stored in armory but not deployable)





## Special Response Team (SRT) Rifle Training

---

- Members of the SRT must successfully pass a Peace Officer Standards and Training (POST) certified basic rifle course. This class must satisfy Penal Code requirements per section 33220(b).
- SWAT Basic Course
- SRT members must attend and pass biannual rifle qualifications.
  - members that do not pass either of the courses, may not deploy a rifle.
- SRT members are given monthly training on their issued rifles.
- Sniper Team SRT members must also pass a specialized POST certified RIFLE MARKSMANSHIP AND SNIPER course.
  - Sniper team members are the only ones issued a LWRC R.E.P.R. (7.62X51mm).





## MP5 Submachine Gun

---

### **Description:**

A compact, modular, lightweight, shoulder fired, submachine gun chambered in 9x19mm.

### **Capability:**

The MP-5 provides the ability to deliver precision gun fire with a shoulder fired weapons system that is accurate, reliable, and safe. Its compact design allows for ease of maneuverability when operating in the open or within interior environments.



**Fiscal Impact:** Initial Costs unknown. No annual costs

**Lifespan:** Approximately 50,000 rounds. **Amount:**  
8 total:

6 Heckler and Koch MP-5  
2 Heckler and Koch MP-5 SD



## **Training Requirements:**

SRT members who deploy the MP-5 must pass an initial operators course and have passed SRT training/qualification with the MP-5. The initial operators course would consist of: 8 HOURS - 1 hour classroom lecture overview 1 hour nomenclature review 1 hour disassembly/Assembly 1 hour maintenance 4 hours practical application on the range Select fire drills, movement drills and Qualifications

## **Legal and Procedural:**

MP-5 usage must follow the guidelines of the Use of Force Policy, Firearms policy, Penal Code 835a(c), and Penal Code 33220(b).



**Fiscal Impact:** *Initial Costs unknown. No annual costs*

**Lifespan:** *Approximately 50,000 rounds. Amount:*  
*8 total:*

*6 Heckler and Koch MP-5  
2 Heckler and Koch MP-5 SD*



## Sniper Rifles

---

### **Description:**

The LWRC Rapid engagement Precision Rifle (R.E.P.R.) is a full spectrum weapon system designed to put 7.62 mm NATO rounds on target in a variety of real world applications. The R.E.P.R. is built for high performance.

The Colt Modular Carbine is a multi-caliber, single serial modular weapon system which can fire a 7.62 x 51 or 5.56 x 54 NATO when the upper receiver group is swapped out.

### **Capability:**

The sniper rifle provides SRT snipers the ability to engage hostile suspects at a great distance with accuracy.



***Fiscal Impact:*** See Cost Slide  
***Lifespan:*** 15 Years  
***Amount:*** See Cost Slide





## **Authorized Uses:**

The sniper rifle is used exclusively by the SRT sniper team for high risk SRT events and special events where over watch is appropriate.

## **Training Requirements:**

SRT snipers must successfully complete a POST certified Sniper course. Snipers conduct sniper training monthly live fire training and must pass a quarterly qualification as dictated by the sniper team leader.

## **Legal and Procedures:**

Sniper Rifles may only be deployed by SRT sniper team members. Rifle usage must follow the guidelines of the Use of Force Policy, Firearms policy, Penal Code 835a(c), and Penal Code 33220(b).



***Fiscal Impact:*** See Cost Slide

***Lifespan:*** 15 Years

***Amount:*** See Cost Slide



## Costs

---

- a. Number and types
  - i. 1 : Colt Modular 7.62 Unknown cost. This is not currently in use.
  - ii. 4 : LWRC REPR 7.62 Total initial cost for 4, \$5000.
  - iii. 2 : Remington 700 PSS, Initial cost Unknown as it was purchased decades ago. This rifle is past its lifespan. It cannot be used until it has been refurbished. \$1500 to have it refurbished.
  - iv. 1 : GA Precision Custom, Initial cost \$6,000.
- b. Ammunition – Rifle ammunition shall only be used in accordance with the rifle policies and procedures.
  - i. 24 cases of 200 rounds : Federal .308 Winchester \$279 per 200 rounds.
  - ii. 25 cases of 500 rounds : Federal Winchester .308 168 grain. \$445 per 500 rounds.



## .556 / .223 Rifles

---

### **Description:**

Lightweight, magazine-fed, gas operated rifle intended to be fired from the shoulder. These rifles can fire rounds with accuracy at greater distance than pistols.

### **Capability:**

These rifles provide deputies the ability to engage hostile suspects at distances greater than the effective distance of their handguns. These rifles are more accurate than pistols and can defeat soft body armor if needed.



***Fiscal Impact:*** See Rifle Inventory Chart

***Lifespan:*** Approximately 15 Years

***Amount:*** See Rifle Inventory Chart



San Francisco

**Sheriff's Office**

**.556 / .223 Rifles**

## Purpose

---

To more effectively and accurately address the increasing level of firepower and body armor utilized by violent suspects, the Sheriff's Office issues patrol rifles to qualified deputies as an additional and more immediate tactical response. In addition, the Special Response Team uses these weapons as their primary weapon platform during all operations.

### **Legal and Procedural Rules:**

Rifle usage must follow the guidelines of the Use of Force Policy, Firearms policy, Penal Code 835a(c), and Penal Code 33220(b).



***Fiscal Impact:*** See Rifle Cost Slide

***Lifespan:*** Approximately 15 Years

***Amount:*** See Rifle Inventory Chart



San Francisco

**Sheriff's Office**

**.556 / .223 Rifles**

## Purpose

---

- a. Rifles are the primary weapon used by the SRT. Rifles are deployed for all SRT operations. Qualified non-SRT deputies may deploy their issued rifle in any circumstance where that they can articulate a reasonable expectation that the rifle may be needed. For non-SRT deputies, the following situations are authorized:
  - i. Situations where there is a reasonable anticipation of an armed encounter.
  - ii. When a deputy is faced with a situation that may require accurate and effective fire at long range.
  - iii. Situations where there is a reasonable need to exceed a suspect's firepower.
  - iv. When a deputy reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage in order to prevent injury to others.
  - v. When there is a reasonable belief that the suspect may be wearing body armor and may have access to a weapon.
  - vi. To dispatch an animal.



## **.556 / .223 Rifles**

---

### **Training Requirements:**

- a. Special Response Team Training :
  - a. SWAT Basic Course
  - b. POST certified rifle course.
  - c. SRT members must attend and pass biannual rifle qualifications. (Twice a year.)
  - d. SRT members that do not pass either courses may not deploy a rifle until the course is passed.
  - e. SRT members are given monthly training with hands on shooting range practice.
- b. Patrol rifle deputies :
  - a. Deputies must successfully pass a Peace Officer Standards and Training (POST) certified rifle course. This class must satisfy Penal Code requirements per section 33220(b).
  - b. Deputies must attend and pass biannual rifle qualifications (twice a year.)
  - c. SFSO 4 Hour patrol rifle refresher course that is POST certified.



San Francisco

**Sheriff's Office**

**.556 / .223 Rifles**

## Costs

---

### 1. Number and Types

- 1) Aero Precision M16-A4. Initial cost \$1005.00
- 2) Bushmaster XM15-E2S. Initial Cost 1400.00
- 3) Bushmaster XM15-E2S Lower receiver. Initial Cost \$1400.00
- 4) Colt M4 Carbine. Initial Cost \$1100
- 5) EPR-LE6933 5.56mm. Initial Cost \$1245
- 6) Colt Commando 5.56mm Initial Cost \$1245
- 7) Colt AR15A3 5.56mm lower receiver, used for marking cartridges in training
- 8) FN Herstal FN15 5.56mm Initial Cost \$974.00
- 9) Geissele Government 5.56mm Initial Cost \$1084.00
- 10) Geissele URG-1 Initial Cost \$1061.65



# Ammunition

<i>Make</i>	<i>Description</i>	<i>Quantity ordered</i>	<i>Description</i>
Federal	.223 Remington	500 cases of 500 rounds	55 Grain Full Metal Jacket
Federal	.223 Remington	500 cases of 500 rounds	62 Grain Full Metal Jacket
SPEER	.223 Remington	40 cases of 500 rounds	75 Grain Gold Dot
SPEER	.223 Remington	40 cases of 500 rounds	62 Grain Gold Dot
Federal	.308 Winchester	24 cases of 200 rounds	168 grain Tactical Bonded Tip
Federal	.308 Winchester	25 cases of 500 rounds	168 grain Tactical Tip Matchking
Federal	.223 Remington	20 cases of 500 rounds	55 Grain Frangible Reduced Hazard Training







## Rifle Inventory Table

<u>MAKE</u>	<u>MODEL</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>
<b>AERO-PRECISION</b>	M16-A4	4	5.56x45MM RIFLE 20" BARREL
<b>BUSHMASTER</b>	XMI1-E2S (SRT)	8	5.56x45MM RIFLE (SELECT FIRE)
<b>BUSHMASTER</b>	XMI1-E2S	6	5.56x45MM RIFLE (RECEIVER ONLY)
<b>COLT</b>	M4 CARBINE	12	5.56x45MM RIFLE (SELECT FIRE)
<b>COLT</b>	MODULAR	1	7.62x51MM (SELECT FIRE)
<b>COLT</b>	EPR-LE6933	10	5.56x45MM RIFLE (SEMI-AUTO)
<b>COLT</b>	COMMANDO	4	5.56x45MM (SELECT FIRE)
<b>COLT</b>	AR-15	11	5.56x45MM RIFLE (RECEIVER ONLY)
<b>FN HERSTAL</b>	FN15	26	5.56x45MM RIFLE (SEMI-AUTO)
<b>GEISSELE</b>	GOVERNMENT	4	5.56x45MM RIFLE (SEMI-AUTO)
<b>GEISSELE</b>	URG-1	5	SWAT RIFLE/AWAITING SHIPMENT
<b>GLOCK</b>	G18	3	9x19MM PISTOL (SELECT FIRE)
<b>HECKLER &amp; KOCH</b>	MP5	6	9x19MM SUB MACHINE GUN (SELECT FIRE)
<b>HECKLER &amp; KOCH</b>	MP5 SD	2	9x19MM SUB MACHINE GUN (SELECT FIRE)
<b>LWRC</b>	REPR	4	7.62x51MM RIFLE (SEMI-AUTO)



## Diversiónary Devices

### Usage:

Flash Bangs are used by special tactical units during hostage rescue and high-risk warrants/events. It is an ATF-controlled Class-C explosive device that emits a bright light and thunderous noise to distract potentially dangerous individuals. Flash Bangs are used by the Special Response Team.

### Capability:

Produces a 165-180db and 6-8 million candela of light output.

### Training Requirements:

80 hour POST certified SWAT School. In addition, SRT members train on the use of Flash Bangs during their annual training cycle.



**Fiscal Impact:** Initial: \$1700.70. Annual: \$240.00

**Lifespan:** 5 Years

**Amount:** 6 CTS model 7290 Mini M single bangs,  
9 CTS model 7290-2 Mini double bangs, 10 CTS  
model 7290 Single bangs, 12 CTS model 7290-7  
Seven bangs



## 40 mm Chemical Agent Launchers

---

### **Usage:**

Designed to fire a projectile to temporarily incapacitate a subject and is considered a less-lethal weapon. Used to address armed and/or violent individuals or crowds, limited instances of violent civil unrest consistent with Penal Code section 13652, suicidal individuals in specific cases, and individuals believed to possess or have immediate access to a deadly weapon.

Chemical agents are specifically formulated smokes, liquids and powders designed to temporarily disable a person by causing irritation of the mucous membrane, eyes and skin. They may be a less lethal force option and significantly reduce the risk of injury to citizens, suspects and deputies. These agents may be used in criminal apprehensions and critical incidents.



### **Amount and Fiscal Impact:**

*LMT 40mm Tactical Single Launcher : \$1100 each  
(2 purchased)*

*FN 40GL Enhanced Grenade Launcher : \$1800 each  
(1 purchased)*

*M203 40mm Launcher : \$1800  
(2 purchased)*



## 40 mm Chemical Agent Launchers

---

### **Capability:**

The 40 mm launcher affords the ability to fire a variety of chemical agent munitions

### **Training Requirements:**

Training requirements – SRT deputies authorized to use the 40mm launcher must complete a POST certified SWAT school as well as annual training during the SRT training cycle.



### **Amount and Fiscal Impact:**

*LMT 40mm Tactical Single Launcher : \$1100 each  
(2 purchased)*

*FN 40GL Enhanced Grenade Launcher : \$1800 each  
(1 purchased)*

*M203 40mm Launcher : \$1800  
(2 purchased)*



## Launched Chemical Agents

---

### Usage:

Chemical agents are used to drive a suspect or suspects, from a structure or location. They are also used to prevent an armed suspect from accurately firing at officers and citizens during an emergency situation. Chemical agents can be used on violent, assaultive persons. Chemical agents are used by the SRT.

### Capability:

Disperse a chemical irritant to assist in stopping violent actions. Can be launched from a safe distance.

### Training Requirements:

SRT members shall complete a POST certified SWAT school and training on chemical agents during the annual training cycle.



***Fiscal Impact:*** Initial \$6452. Annual \$200



## 37mm Launcher Anti Riot Weapon Enfield England

---

### Usage:

Less lethal option to resolve critical situations and prevent serious bodily injury or loss of life in high risk custody and/or field operations. It can be used to address armed and/or violent individuals or crowds, consistent with Penal Code section 13652 and AB48.

- Force with "Significant Risk of Injury"
- Objectively Reasonable under TOC; Defense of Self/Others; CA PC §835a
- Active Resistance + Threat of Harm



**Fiscal Impact:** Cost of 6 launchers : 18,450 (\$3,075 per) 18 Launchers total department wide.



San Francisco

**Sheriff's Office**

**37mm Launcher**

## 37mm Launcher Anti Riot Weapon Enfield England

---

### **Capability:**

The 37 mm launcher affords the ability to fire a variety of less lethal chemicals and impact munitions from distance. The SFSO only deploys the ARWEN with impact munitions.

### **Training Requirements:**

ESU members must complete department training consisting of both classroom and hands on training in the use of the Arwen (SFSO qualification every 2 Years.)

POST certification: LESS LETHAL/MUNITIONS (2430-30986-22)



***Fiscal Impact:*** Cost of 6 launchers : 18,450 (\$3,075 per) 18 Launchers total department wide.



## Less Lethal Impact Munitions

---

### **Usage:**

Less lethal option to resolve critical situations and prevent serious bodily injury or loss of life in high risk custody and/or field operations.

### **Capability:**

Munitions capable of accurate less lethal strikes to specific target areas to reduce the risks posed by human behavior.

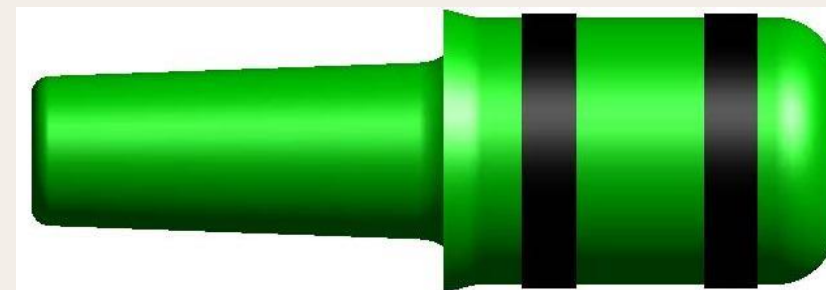
37mm only used for impact munitions

40mm is currently used for chemical agents only.

### **Training Requirements:**

ESU members must complete department training consisting of both classroom and hands on training in the use of the Arwen (SFSO qualification every 2 years.)

POST certification: LESS LETHAL/MUNITIONS (2430-30986-22)



### ***Fiscal Impact:***

*AR-1 Baton Munition – We have 720 at \$24.99 per round.*

*AR-3 Valve Impact Baton Munition CS – We have 280 at \$24.99 (Not deployable)*





# San Francisco Sheriff's Office



The Sheriff respectfully asks the Board of Supervisors Rules Committee to certify the continued use of the safety equipment outlined in this presentation.

Each piece of equipment is crucial for the Sheriff's Office's ability to maintain public safety in our community.



## Process

The SFSO will refer serious complaints of law enforcement misconduct to the Department of Police Accountability (DPA) involving:

1. Deployment or use of any military equipment listed in the Military Equipment Use Policy (MEUP) causing actual injury or death;
2. Use of any military equipment listed in the MEUP directly on a person; or
3. Reckless disregard for the health or safety of any person due to the deployment or use of any military equipment listed in the MEUP.

The DPA shall accept referrals from the SFSO, and serious complaints directly from the public or other government agencies reported in person, by phone, or by electronic transmittal.



San Francisco

**Sheriff's Office**

**QUESTIONS?**

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Paul Miyamoto, Sheriff

FROM: Victor Young, Assistant

A handwritten signature in black ink that reads "Victor Young".

DATE: Clerk October 26, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

**File No. 221062**

**Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment of the Sheriff's Department consistent with the criteria set forth in state law; and approving the Sheriff's Department's Use of Equipment Policy.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [victor.young@sfgov.org](mailto:victor.young@sfgov.org).

cc: Johanna Saenz, Sheriff's Department  
Katherine Johnson, Sheriff's Department  
Tara Moriarty, Sheriff's Department  
Rich Jue, Sheriff's Department  
Christian Kropff, Sheriff's Department

January 19, 2023

Dear Attorney General Bonta,

We are writing to follow up on the letter we sent to you on September 19 of last year, regarding implementation of Assembly Bill 481 on militarized equipment used by law enforcement agencies.

We have concerns regarding California law enforcement agencies' compliance with AB 481 on militarized equipment, and request that your office issue guidance on AB 481 implementation. We also request a meeting with you regarding these issues in January.

In addition to the concerns we conveyed in our September 19, 2022 letter, we have identified these issues of compliance with AB 481:

**1. *No definition of authorized uses of military equipment in many policies approved by governing bodies in the first year of AB 481 implementation***

AB 481 requires that law enforcement agencies propose – and that governing bodies approve – use policies for each type of military equipment, which must include a description of “purpose and authorized uses”, in addition to “legal and procedural rules for authorized uses”, in order for agencies to acquire or to continue to use military equipment. Such a definition of authorized uses is a core requirement of AB 481, since it defines the line for where communities – as approved by their elected officials in public hearings – find it acceptable to use military equipment, and when such use is not appropriate and potentially harmful.

Yet, our review of military equipment policies of agencies across the state shows widespread omission of this requirement. The most typical omission is to describe the authorized *users* – the *who* – rather than the statutory language of authorized *uses* – the *what* or authorized situations for use. We urge you to issue guidance that makes explicit the requirement to propose authorized *uses* of military equipment in policies that are publicly posted and submitted to governing bodies.

**2. *Failure, specifically of CDCR, to disclose quantities of military equipment it possesses.***

Disclosure of the quantity of each type of military equipment owned or to be acquired by any agency is a critical measure of the extent of its militarization, and is thus central to the transparency that AB 481 requires.<sup>1</sup> However, some agencies do not include this information.<sup>2</sup>

---

<sup>1</sup> The law defines required use policies as including “A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment” (Section 7070(d)(1)) and “The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.” (Section 7070(d)(3)) “Type” of military equipment is defined as “each item that shares the same manufacturer model number.” (Section 7070(f))

<sup>2</sup> Agencies that did not include quantities of some or all types of military equipment include CDCR, Monterey County Sheriff's Office, Imperial County Sheriff's Office, El Centro PD, Vernon PD. *[note: we may add more examples to this list]*

We are especially concerned that CDCR, the state's largest law enforcement agency, does not disclose the quantities of military equipment and weaponry on its AB 481 web page. CDCR has used chemical agents and impact projectiles hundreds of times per month, according to reports by California's Office of the Inspector General and CDCR disclosures in response to Public Records Act requests. Please include in guidance the requirement of AB 481 to disclose quantities of each type of military equipment possessed or proposed for acquisition by the agency.

***3. Policies noncompliant with state law on use of force with chemical agents and impact projectiles, including for use of indiscriminate multiple-projectile launchers.<sup>3</sup>***

For example, the Los Angeles PD [policy](#) for projectile launchers and foam rubber batons authorizes use for crowd control after an order for dispersal, despite an explicit prohibition on such use in Penal Code Section 13652. The [Chula Vista PD policy](#) explicitly authorizes the deployment of impact projectiles and Pepperballs for crowd control, with no reference to Section 16352's restrictions on such use. Many other agencies have policies authorizing the use of tear gas or impact projectiles that do not reference state law restricting their use for crowd control.

Regarding the three issues our September 19 letter addressed, we add the following:

***4. Failure of some law enforcement agencies to post ANY use policies for military equipment they possess.***

More than seven months after the date set by AB 481 for law enforcement agencies to post proposed use policies, a number of agencies have still failed to do so.<sup>4</sup> Two of these are among the largest law enforcement agencies in the state - California Highway Patrol and Los Angeles Sheriff's Department. We strongly urge you to issue guidance that names these blatant violations of state law and consider measures that create meaningful consequences for sustained noncompliance with AB 481's requirements to post military equipment policies.

***5. Exclusion of assault rifles from the military equipment inventories and use policies of some agencies.***

---

<sup>3</sup> AB 48 - different from AB 481 - was signed into law in September 2021 and became Penal Code Section 13652. It prohibits the use of chemical agents and impact projectiles for crowd control except in extreme circumstances and after other measures are taken, detailed in the law.

<sup>4</sup> A partial sampling of agencies that have not posted a Military Equipment Use Policy on their website as of January 16, 2023:

**Police Departments:** Bakersfield, Coachella, Inglewood, Vallejo

**County Sheriff Offices:** Alpine, Del Norte, Humboldt, Los Angeles, Modoc, Plumas, Siskiyou, Tehama, Trinity, Tuolumne. Sheriff's Offices in Riverside and Imperial Counties published policies missing most components of use policies as defined in AB 481.

**State agencies:** California Highway Patrol, California Office of Emergency Services. State agencies had a later deadline to publish their military equipment policies than city and county agencies, but were required to do so by October 28, 2022.

As we noted in September, Section 7070(c) of the legislation defines military equipment subject to the law's requirements as including:

(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.

Despite the explicit inclusion in the legislation of assault weapons, some agencies have interpreted the exception clause to apply to assault weapons that may be considered "standard issue service weapons" (a phrase that is not defined in the statute). These agencies include police departments in San Francisco, Pasadena and Palo Alto, and sheriff's offices in Kings, Imperial, Madera and Sonoma counties. Some agencies, such as Capitola Police Department, stated that assault rifles are standard issue but were nonetheless included in military equipment policy, while others, such as in Santa Cruz and Emeryville, added use policies for their assault rifles after community members called for inclusion.

We reiterate our request that you issue guidance to law enforcement agencies, clarifying the intent of AB 481 to create transparency and policies for the deployment and use of assault weapons that are approved by governing bodies.

#### ***6. Importance of preparing clear and complete annual reports on the use of military equipment.***

Section 7072 requires that each law enforcement agency publish an annual report summarizing how each type of military equipment approved for use was used in the preceding year, and hold a public meeting to discuss such reports. Agencies should be documenting their use of approved equipment throughout the year. Many will begin preparing reports in the first months of 2023 for policies that were approved in April and May 2022. It is important to note that Section 7072, and AB 481 as a whole, refer to reporting on *use* of equipment - which means every time it is deployed, not only the times when deployment included a *use of force*, for which agencies already have documentation processes.

We ask that you encourage law enforcement agencies to produce detailed reports on the deployment of military equipment approved for use, which includes all deployments, and establish agency documentation procedures to facilitate such reports.

In summary, we request:

- A meeting with you and your staff at your earliest convenience to discuss these issues and actions to take in response.
- That you prioritize the timely development of guidance to California law enforcement agencies that addresses the issues we have raised and that strengthens compliance with state law and the implementation of policies and practices that fulfill AB 481's promise to "ensure the full protection of the public's welfare, safety, civil rights, and civil liberties."

Sincerely,  
67 Sueños  
Alameda County Families Advocating for the Seriously Mentally Ill (FASMI)  
Alliance San Diego  
American Civil Liberties Union of Southern California  
American Civil Liberties Union (ACLU) California Action  
American Friends Service Committee  
Amnesty International Sacramento Group  
Ashby Village Elder Action  
Asian Americans Advancing Justice-Asian Law Caucus  
Asian Pacific Environmental Network  
BAY Peace  
Bend the Arc: Jewish Action California  
Berkeley Citizens Action  
Berkeley Copwatch  
Berkeley Friends Meeting  
California Coalition for Women Prisoners  
California Families United For4 Justice Network (CFUF4J)  
Californians United for a Responsible Budget (CURB)  
Campaign Nonviolence East Bay  
Coalition for Police Accountability  
Coalition on Homelessness, San Francisco  
CODEPINK San Francisco Bay Area  
Communities United for Restorative Youth Justice (CURYJ)  
Concerned Community for Justice (CC4J), Chico, CA  
Council on American-Islamic Relations, California Chapter  
Culver City Action Network  
Decarcerate Sacramento  
Drug Policy Alliance  
East Bay for Everyone  
Ella Baker Center for Human Rights  
Faith in Action East Bay  
Friends Committee on Legislation of California  
Global Exchange  
Human Impact Partners  
Indivisible SF  
Initiate Justice  
Interfaith Coalition for Justice in our Jails  
Interfaith Movement for Human Integrity  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Livermore Indivisible  
Love Not Blood Campaign  
Mill Valley Force for Racial Equity & Empowerment  
National Lawyers Guild Bay Area



Oakland Privacy  
Oakland Rising  
Pacifica Peace People  
Pacifica Social Justice  
Palo Alto Friends Meeting  
Public Health Justice Collective  
Racial Justice Allies of Sonoma County  
Racism and Criminal Justice Reform Group  
Restore Oakland  
Secure Justice  
San Francisco Gray Panthers  
San Francisco Public Defender's Office  
Siegel, Yee, Brunner & Mehta  
South Bay People Power  
University Lutheran Chapel of Berkeley  
Wellstone Democratic Renewal Club  
Women's International League for Peace and Freedom, San Francisco and East Bay Branches  
Youth Alive!

Addenda:

- [September 19 letter regarding AB 481 to AG Bonta from 39 organizations](#)
- September 29 email with examples of policies with shortcomings that we have seen, as well as examples of better policies excerpts.

September 29 email to Cal DOJ with examples of worse and better policy provisions:

## Worse policy excerpts

The following are examples of worse policy excerpts we have seen. While we point out a few specific agencies' policy excerpts as examples, we have seen similar issues across many agencies' policies.

### Defining authorized users instead of authorized use

- [Alameda CSO](#) authorizes drones “[In any] official law enforcement mission or event approved by the Sheriff, or the Sheriff’s Designee” (pg 4). This makes any self-authorized use permissible, effectively defining *user* instead of *use*.
- [Alameda CSO](#) authorizes chemical agents (e.g. tear gas) by user: “Agency members are authorized to use them during the performance of their duties to protect life and property” (pg 19).

### Combining “Purpose” and “Authorized Use” into one item and including only Purpose

- [LAPD](#) lists only a brief purpose with no authorized use for all of its inventory (pp. 29-50)
  - Side note on LAPD policy: The LAPD policy is not posted on its department website, as required by AB 481. The only version of its policy available is not accessible and cannot be read by screen readers.
- [SFPD](#) (proposed policy not yet approved by Board of Supervisors) lists purpose but does not list authorized use.
  - The proposed policy refers to other Department documents for legal and procedural rules.
  - If authorized use is described in these documents, there is no governing body oversight over changing those documents.
  - Some of the policies referenced, such as the Tactical Unit Orders, are not available on the SFPD website.

This conflation of *purpose* and *authorized use* is very concerning because it can be a challenge for members of the public or even governing bodies to understand how weapons may be authorized for use in a manner inconsistent with the stated purpose. For example, [Oakland PD's proposed policy around robots](#) describes the purpose as gaining perspective, locating persons, or entering confined spaces. However, in verbal discussions with the Department, it came to light that the Department recognized the potential for using robots for lethal intent, and had created a policy that did not explicitly address that potential.

The more we analyze policies and speak with activists, elected officials, and departments, the more we understand the need for authorized use to be separate from

purpose, and the need to describe not just the *circumstances* in which a weapon may be used, but *how* the weapon may or may not be used.

### **Broadly defining authorized use to be limitless or near-limitless**

Examples of language:

- [Alameda County](#) Sheriff's Office authorizes flashbangs in "[any] situation where their use would enhance deputy safety" (pg 20)
- [Alameda County](#) Sheriff's Office also authorizes assault rifle deployments in "high-risk situations [which may] include, but are not limited to..." (pg 15). If a weapon is authorized for situations that are not included in a list, this makes any possible situation authorized.

### **No independent oversight body identified**

Example policies with no independent oversight body identified:

- [SFPD](#)
- [Emeryville PD](#)
- [Chula Vista PD](#)
- [La Mesa PD](#)

### **Classifying assault rifles (commonly referred to as "patrol" or "sniper" rifles) as standard issue and therefore exempt from AB481**

Please let us know if providing links to policies that exclude patrol assault rifles would be helpful. These agencies include police departments in San Francisco, Pasadena, Palo Alto, [Santa Rosa PD](#), and sheriff's offices in Kings, Imperial, Madera and Sonoma counties.

### **Better policy excerpts**

We cannot recommend any policy as a model policy, but have noticed different policy subsections as better implemented than others. These are described here.

#### **More explicit delineation of what is authorized or prohibited:**

[Berkeley Police Accountability Board recommended](#) the following language be included in the use policy: "Uses of military equipment for purposes, in a manner, or by a person not authorized in this policy are prohibited." (Note: this recommendation is not reflected in the [BPD posted policy](#))

#### **Explicitly spell out authorized and prohibited uses:**

An example of a policy that clearly spells out authorized and prohibited uses is [Oakland Police Department's Armored Vehicles Policy](#). While some elements of this policy are particular to armored vehicles, most of the elements would be appropriate for a use policy for any military equipment.

(Note: Oakland PD's military equipment use policy is not yet approved by its governing body.)

The OPD policy clearly defines “deployment” in a way that should be used for every type of equipment, “Any authorized departure from an armored vehicle’s place of storage shall be considered a deployment.”

The OPD policy acknowledges the risks of using this type of equipment in the community, and how those risks are taken into consideration in deployment decisions:

*The Department recognizes that the deployment or appearance of certain armored vehicles may escalate tension, provoke fear, prevent clear communication, or increase distrust. The Department therefore restricts deployment of armored vehicles to those situations where the benefits of deployment outweigh the potential detrimental effects.*

The policy then goes on to list specific authorized uses and also prohibited uses, and lists considerations for pre-planned use. These considerations are advisable for the use of any military equipment, and should be included (with slight wording modifications) in the authorized use for all equipment covered under this law.

### **Private Right of Action**

[Oakland’s Controlled Equipment Use Policy](#) includes a provision for a Private Right of Action, allowing anyone harmed by non-compliance with the policy to initiate a civil action for injunctive relief and damages. This provides an extra safeguard that the policy will be adhered to and that community members’ rights and safety will be protected.

**From:** [regina.sneed](#)  
**To:** [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Stefani, Catherine \(BOS\)](#)  
**Subject:** Re: January 30, 2023 Board of Supervisors Rules Committee: Item 221062: Funding, Acquisition and Use of Certain Sheriff's Department Equipment.  
**Date:** Saturday, January 28, 2023 4:41:33 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

> Dear Supervisors:

>

> Today the Rules Committee will most likely pass the draft ordinance and policy for equipment used by the Sheriff's Department as required under AB 481 to the full Board of Supervisors for adoption. While there are still ways the policy could be made stronger, I appreciate the inclusion of the community through the good offices of the AFSC in discussions with the Sheriff's Department and members of the Rules Committee to produce this document.

I also appreciated hearing that the Sheriff's Department does not purchase equipment through the 1033 program.

> This draft recognizes that certain equipment like flash bangs, pepper spray or other projectiles need to be prohibited around the elderly, children, persons with physical, mental or intellectual disabilities, non English speaking persons and those with compromised immune systems. This language is exactly what AB 481 envisioned in its main purpose of protecting community members.

This equipment list notes that much of this equipment has not been deployed during the past year. That raises the question for future review of whether we need it. Was the lack of use due to covid or was it because of better alternative means of resolving a situation. As a community member, I generally prefer that our police and sheriffs use less military type equipment and more deescalation tactics to respond to incidents.

> The Board in its oversight responsibilities will be examining incident reports as part of the annual reporting to the Board. Citizens need to see information about deployment and use prior to the one required public hearing so they can fully participate and comment on issues of concern that might produce changes in the policy.

> I continue to advocate for providing a private right of action so citizens can directly take actions to address changes needed in the use of military equipment. As it stands, only the Board of Supervisors has authority to protect the public safety. California has a strong history of including private rights of action as another safeguard for insuring accountability and protecting citizens rights.

>

> I also support other recommendations made by the AFSC Healing Justice project that are not included in the current draft. These include decommissioning fully automatic assault weapons both pistols and machine guns and taking extra care on how weapons are used in confined spaces like a jail cell where innocent bystanders could be affected.

And finally, with the daily news reports of excessive use of force, I hope that under the Police and Sheriff's policies, we will have transparent reports of such incidents with specific data about location and race of those involved. The community deserves the best from our public safety departments.

Thank you.

Regina Sneed  
District Two resident



**From:** [regina.sneed](#)  
**To:** [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Young, Victor \(BOS\)](#)  
**Subject:** January 30, 2023 Board of Supervisors Rules Committee Item 1 Sheriff's military equipment policy. The Structural Racism Remedies Repository | Othering & Belonging Institute a resource on policies practices  
**Date:** Saturday, January 28, 2023 9:20:38 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members:

The following website contains recommendations for best practices in policing. It addresses many issues that are included in the AB481 law requiring law enforcement agencies to adopt policies and create equipment list for use of military equipment.

I recommend that members of the Board of Supervisors use this resource for its oversight and accountability responsibilities for the annual reporting requirements in the sheriff and police department ordinances.

The community will expect an open, transparent and public process in the annual report process.

[https://url.avanan.click/v2/\\_https://belonging.berkeley.edu/structural-racism-remedies-repository\\_\\_YXAzOnNmZHQyOmE6bzozMzJiNzAxNWJjNmIIZDQ5ZThYTU1YWWE2MDY3NjE5Nzo2OjI0MDk6YWFMtI0YzMzYTgyMmNlYTZmI0ODMzNjgwMTM1NTMwOTIiOGU2Mjk5YTg2MzVhNjI2M2ExNDhjNjRlYThiODpwOIQ](https://url.avanan.click/v2/_https://belonging.berkeley.edu/structural-racism-remedies-repository__YXAzOnNmZHQyOmE6bzozMzJiNzAxNWJjNmIIZDQ5ZThYTU1YWWE2MDY3NjE5Nzo2OjI0MDk6YWFMtI0YzMzYTgyMmNlYTZmI0ODMzNjgwMTM1NTMwOTIiOGU2Mjk5YTg2MzVhNjI2M2ExNDhjNjRlYThiODpwOIQ)

Regina Sneed  
District Two resident  
Sent from my iPad

**From:** [regina.sneed](#)  
**To:** [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Stefani, Catherine \(BOS\)](#)  
**Subject:** January 23, 2023 Board of Supervisors Rules Committee: Item 221062: Funding, Acquisition and Use of Certain Sheriff's Department Equipment.  
**Date:** Sunday, January 22, 2023 12:34:10 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

Today the Rules Committee will take up its review of the draft ordinance and list of equipment used by the Sheriff's Department as required under AB 481. I understand that discussions with the Sheriff's Department, members of the Rules Committee and the community have taken into account concerns raised in the adoption of the Police Department. I appreciate these efforts in helping to shape this ordinance.

I have had an opportunity to review some proposed amendments that have been suggested by the Sheriff's Department for consideration. I strongly endorse language that recognizes that certain equipment like flash bangs, pepper spray or other projectiles need to be prohibited around the elderly, children, persons with physical, mental or intellectual disabilities, non English speaking persons and those with compromised immune systems.

I also noted that the equipment list indicated that there were items that had not been deployed during the past year. I would ask the Rules Committee to determine whether such equipment is still needed. In reading the draft, I am not certain that it includes all the data needed about deployment and actual use of a weapon. As a community member, I generally prefer that our police and sheriff use less military type equipment.

I am glad to see that the Sheriff's ordinance prohibits the use of force with drones. This is appropriate, however, the draft ordinance allows for uses that are too broad. Drones should not be used to gather and preserve evidence in crowd situations. This seems to violate first amendment and privacy rights.

This ordinance also needs a complaint policy for citizens to raise concerns about the use of equipment. I understand this is going to be addressed. This is an important element for citizens to see information about deployment and use and comment on issues of concern as part of the Annual report.

I also support providing a private right of action so citizens can directly take actions to address changes needed in the use of military equipment. As it stands, only the Board of Supervisors has authority to protect the public safety. California has a strong history of including private rights of action as another safeguard for insuring accountability and protecting citizens rights.

I also endorse other recommendations made by the AFSC Healing Justice project that has assisted the community in understanding how these weapons are deployed and used. I also thank the dedicated public servants from the Sheriff's Department, the Board of Supervisors and City Attorneys office for their work.

Thank you for the opportunity to comment.

Regina Sneed  
Women's International League for Peace and Freedom, San Francisco Branch  
District Two resident

Sent from my iPad