

File No. 221062

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Jan. 30, 2023

Board of Supervisors Meeting

Date _____

Cmte Board

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

OTHER

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| X <input type="checkbox"/> | <input type="checkbox"/> | Equipment Inventory - October 2022 |
| X <input type="checkbox"/> | <input type="checkbox"/> | Equipment List |
| x <input type="checkbox"/> | <input type="checkbox"/> | Equipment Policy |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Victor Young

Date Jan 26, 2023

Completed by: _____

Date _____

[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.

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

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

Section 1. Background.

(a) 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. Government Code Sections 7070 *et seq.* define the specific equipment subject to this requirement, the minimum requirements for the policy, and the standards for the approval of the governing body. The covered equipment is also summarized in Section 1 of the ordinance in Board of Supervisors File No. 220641.

(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

1 funding, acquisition, and use of certain law enforcement equipment consistent with the criteria
2 set forth in California Government Code Section 7071(d). That ordinance covered the Police
3 Department. On July 11, 2022, the Rules Committee of the Board amended that ordinance to
4 include approval of the Police Department's Use of Equipment Policy. That ordinance, in File
5 No. 220641 of the Board of Supervisors, is still pending before the Board, and is scheduled for
6 an additional hearing at the Rules Committee.

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

14
15 Section 2. Findings and Approval of Sheriff's Equipment Use Policy.

16 (a) The Sheriff prepared an inventory of existing equipment covered by California
17 Government Code Sections 7070 *et seq.* and an equipment use policy ("Inventory" and
18 "Policy" respectively) to govern the use by the Sheriff's Department of the equipment covered
19 by Government Code Sections 7070 *et seq.* and listed in the Inventory. A copy of the
20 Inventory and Policy are in Board File No. 221062, and are incorporated herein by
21 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. As required by state law, within one year of the effective date of
11 this ordinance, the Sheriff shall submit to the Board an annual equipment report for each type
12 of equipment in the Inventory, and annually thereafter for as long as the equipment is
13 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,

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.

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

20
21 Section 4. The Administrative Code is hereby amended by revising Chapter 96H and
22 Section 96H.1, to read as follows:

23 **CHAPTER 96H: ~~POLICE DEPARTMENT~~ LAW ENFORCEMENT EQUIPMENT**
24 **POLICY~~IES~~**

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.

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

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

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LEGISLATIVE DIGEST

[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.

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 July 11, 2022, the Rules Committee of the Board amended that ordinance to include approval of the Police Department's Use of Equipment Policy. That ordinance, in File No. 220641 of the Board of Supervisors, is still pending before the Board, and is scheduled for an additional hearing at the Rules Committee.

Amendments to Current Law

This ordinance would amend Administrative Code Chapter 96G 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. As introduced, the codified portion of the ordinance in Board File No. 220641 is designated Chapter 96G, including Section 96G.1, but it is anticipated that the chapter and section numbers will be redesignated as Chapter 96H and Section 96H.1.



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

Sincerely,

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
Equipment Inventory, Cal. Gov. Code Section 7070

October 2022

A. Unmanned, remotely piloted, powered aerial or ground vehicles	
1. Description	Product Name/Description: DJI Mavic 2 Enterprise (Dual) w/ Smart Controller and DJI Enterprise Shield Basic Expected Lifespan: 5 years
2. Purpose of Use	Built upon the Mavic 2 flight platform, the Mavic 2 Enterprise with DJI Smart Controller from DJI is an advanced, enterprise-level drone solution for demanding applications. Authorized use cases include: <ul style="list-style-type: none"> i. Critical Incidents ii. Search and Rescue iii. Natural or Manmade Disaster Response iv. Training v. Community Engagement
3. Fiscal Impact	N/A Only Initial cost \$4800.00
4. Legal and Procedural Rules	Sheriff's Office Unmanned Aircraft System (UAS) Policy 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. In all other instances, legal counsel should be consulted. <ul style="list-style-type: none"> a. Only authorized Operators shall be permitted to deploy the UAS. b. UAS Operators shall obtain supervisor approval prior to conducting a UAS deployment. c. 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.) d. 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.
5. Training	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. There are no POST Training Requirements

B. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	
1. Description	Product Name/Description: 2013 Ford F59 Expected Lifespan: 100,000 miles
2. Purpose of Use	Equipment transport
3. Fiscal Impact	Initial cost \$135,000.00. Estimated annual cost of maintenance (not including repairs): \$740.00.
4. Legal and Procedural Rules	As needed to transport equipment
5. Training	Commercial license Current Class C License
B. (cont.) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	
1. Description	Product Name/Description: 2012 Freightliner MT55 2012 Freightliner Chassis <ul style="list-style-type: none"> • Cummins Engine • Addison Transmission • 60 Gallon diesel tank • Generator will draw from gas tank until 25% level • Height: 12 ft • Length: 39.5 ft • Width: 8 ft • Weight: 27,940 lbs • GVWR: 30,000 lbs Expected Lifespan: 200,000 miles
2. Purpose of Use	Mobile Command Operations
3. Fiscal Impact	Initial cost \$580,000.00. Estimated annual cost of maintenance (not including repairs): \$6,105.00.
4. Legal and Procedural Rules	2013 SFSO Mobile Command Unit Operations Procedures
5. Training	Current Class B License

C. Battering rams, slugs and breaching apparatuses that are explosive in nature	
1. Description	Breaching Slugs Royal Arms International- Compressed Copper Powder 425 Grains Expected lifespan: N/A
2. Purpose of Use	Breaching slugs are used 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.
3. Fiscal Impact	Initial Cost: n/a Estimated annual cost to maintain the equipment: \$987.75

4. Legal and Procedural Rules	SFSD-02-06 Shotgun policy, SFSD-300 Use of Force, SFSO Directive 08072022-1
5. Training	SRT members identified as “Breachers” must complete a Shotgun Breacher Course prior to deploying Breacher slugs. Ongoing training that emphasizes the safe use of ballistic breaching throughout the training cycle.

D. “Flashbang” grenades and explosive tools, “tear gas”, excluding standard, service-issued handheld pepper spray	
1.Description	PRODUCT NAME/DESCRIPTION
Flash Bang Grenade/ Tear Gas	<p>Combined Tactical Systems- 7290 The 7290 produces a 165-180db and 6-8 million candela of light output. The patented design of the 7290, incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface. In addition, internal adjustments have greatly reduced smoke output. Flash Bangs are used by special tactical units during hostage rescue and high-risk warrants. It is an ATF-controlled Class-C explosive device that emits a bright light and thunderous noise to distract potentially dangerous individuals.</p> <p>Defense Technologies 1016 The Pocket Tactical CS Grenade is small, and lightweight. The 0.9 oz. of active agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full size tactical grenade.</p> <p>Expected Lifespan: 5 years</p>
2.Purpose of Use	Flashbangs are used as a distraction device to disorient or divert the suspect'(s) attention away from deputies. This can allow deputies to gain safer access to a high-risk situation, giving extra time to assess and analyze threats. This can prevent injury to citizens and deputies. These devices can often lead to a safer resolution and allow deputies to take a suspect into custody without a higher level of force. There is no known alternative to a flash bang when it is necessary. Chemical agents may be used in criminal apprehensions and control situations (in critical incidents and other circumstances that require the use of chemical agents to protect life and public safety.)
3.Fiscal Impact	Flash Bang: \$2380.00 (\$47.60 per unit) Defensive Technologies 1016 : \$735.00 (\$29.40 per unit)
4. Legal and Procedural Rules	SFSO Directive 08072022-2, SFSD – 300 Use of Force.

5. Training	SRT has Chemical Agent Instructors that must complete a 40hr. Chemical Agent Instructor Course.
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E. Projectile launch platforms and their associated munitions: 37mm and 40mm projectile launchers, and specialty impact munition (SIM) weapons.	
1.Description	<p>40mm Launchers CTS 4340 OC Liquid Barricade CTS 4431 Powder Barricade CTS 4441 OC Powder Barricade CTS 4557 Foam Baton 37mm ARWEN Mark III Launcher AR-1 ARWEN Impact Baton, Standard Energy</p> <p>Expected lifespan: N/A</p>
2. Purpose of Use	<p>40mm Launcher The 40 mm launcher affords the ability to use less lethal chemicals and impact munitions. This is designed to fire a projectile to temporarily incapacitate a subject and is considered a less-lethal 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.</p> <p>37mm ARWEN Mark III Launcher The Arwen is a shoulder fired 37 MIM rotary magazine weapon that is capable of firing a kinetic energy baton. It is intended to provide a possible alternative level of force than conventional firearms. The ARWEN 37 weapon is light: 3.11kg (6lb, 14oz) unloaded or 3.83kg (8lb, 4oz) loaded with 5 AR-1 baton rounds; finished in matte black and, because of its design, is very safe. It is very easy to use, being suitable for right or left-handed operators of any height or build. The AIR-1 Less Lethal baton is a standard energy impact round. This round is primarily used as a kinetic energy less lethal force option.</p>
3.Fiscal Impact	<p>Initial Cost: CTS 4340 OC Liquid Barricade: \$1104.50 (\$22.09 per unit) CTS 4431 Powder Barricade \$1148.50 (\$22.97 per unit) CTS 4441 OC Powder Barricade \$1148.50 (\$22.97 per unit) CTS 4557 Foam Baton \$3800.00 (19.00 per unit) AIR-1 ARWEN Impact Baton, Standard Energy \$9,649.28 (\$24.99 per unit)</p>

4. Legal and Procedural Rules	SFSO Directive 08072022-3, SFSO Use of Force, ARWEN 37mm- SFSD 02-04 Projectile Impact Weapon
5. Training	SRT Members must complete training prior to deploying chemical agents by means of a 40mm launcher. ESU members must complete a Less Lethal Munitions class once every two years before deploying a 37mm ARWEN

F. 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.	
1. Description	The 5.56mm rifle is a firearm capable of accurately stopping an armed subject at various distances. The rifle is a lightweight, air-cooled, gas-operated, magazine-fed, shoulder-fired weapon designed for either semiautomatic or select fire. Expected Lifespan: N/A Repair and replace as necessary
2. Purpose	To provide deputies with an accurate weapon to address a threat with more precision and range than a pistol. Qualified deputies may also deploy the rifle in situations where he or she reasonably believes that a suspect may be armed and or wearing body armor.
3. Fiscal Impact	Initial Cost: \$1900 Quantity: 73 department owned
4. Legal and Procedural Rules	SFSD 03-05 Rifles/Submachineguns
5. Training	Deputies who have completed a POST certified training regarding short-barrel rifles and possess a current qualification may deploy a rifle.

F. (cont.) 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.

1. Description	<p>The 7.62mm rifle is a firearm capable of accurately stopping an armed subject at various distances. The rifle is a magazine-fed, shoulder-fired weapon designed for semiautomatic fire. It has a short-stroke gas piston system that offers reliability and easy maintenance.</p> <p>Monoforge™ upper receiver with integrated rail-base is stronger than the standard-pattern upper. Black Nitride treated LWRCI™ heavy-profile barrel is precisely torqued to a consistent torque setting. Cold hammer forged 1:10 twist stabilizes a wide range of bullet types. Fully-ambidextrous lower receiver controls include the bolt catch and release, the magazine release, and the safety selector. Geissele® SSA-E 2-Stage Precision Trigger.</p> <p>Expected Lifespan: N/A Repair and replace as necessary</p>
2. Purpose	<p>To provide deputies with an accurate weapon to address a threat with more precision and range than a pistol. Qualified deputies may also deploy the rifle in situations where he or she reasonably believes that a suspect may be armed and or wearing body armor.</p>
3. Fiscal Impact	Initial Cost: \$5000 Quantity: 4 department owned
4. Legal and Procedural Rules	SFSD 03-05 Rifles/Submachineguns
5. Training	<p>Special Response Team deputies who have been identified as a sniper by the SRT commander and having completed a designated marksman course, completed a POST certified training regarding short-barrel rifles and possess a current qualification may deploy a 7.62 rifle.</p>

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

1. Small Unmanned Aircraft systems

- a. Description - An unmanned aircraft that is capable of sustaining directed flight designed for gathering information.
- b. Capability - 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 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 OcuSync 2.0 video transmission system. Additionally, there are three modular accessories to include a spotlight, speaker, and beacon. The Mavic 2 Enterprise also has omnidirectional obstacle sensing.
- c. Purpose – 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.
- d. Authorized Uses - 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. 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 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

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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.

- e. Training Requirements – On going 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.
- f. Legal and Procedural rules: 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.)
- g. Fiscal impact – Initial \$4800.00
- h. Lifespan – Estimated 5 years. Purchased in 2020
- i. Number and types:
 - i. DJI Mavic 2 Enterprise (Dual) w/Smart Controller and DJI Enterprise Shield Basic
 - ii. The SFSO has two of these
- j. The UAS was not deployed in 2022.

2. Mobile Command Vehicles

- a. Description - Mobile Command Vehicles 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. Capability - 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.
- c. Authorized Uses – 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.
- d. Training Requirements – A class B license is required to drive the Mobile Command Vehicle. A class C license is required to drive the Rapid Response Vehicle.
- e. Lifespan – 100,000 miles
- f. Legal and Procedural Rules – 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.
- g. Number and types –
 - i. 2013 Ford F59 – Rapid Response Vehicle
 - 1. Initial Cost: \$135,000. Average annual maintenance \$740.00 Current Mileage = 6310
 - ii. 2012 Freightliner MT55 – Mobile Command Vehicle

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1. Initial Cost: \$580,000. Average Annual Maintenance \$6100 Current Mileage = 7801
- h. The Mobile Command Vehicles were only used for training and not special operations in 2022.

3. Breaching Shotgun

- a. Description – 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-resistance. Both the pump action forend and stock are robust and tough synthetic.
- b. Purpose - 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.
- c. Capability – 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.
- d. Authorized Use –
 - i. Breaching Shotguns shall not be used outside of the following
 1. Training
 2. Barricaded incidents where the person is resisting a detention/arrest.
 3. Active Shooter incidents
 4. High Risk Warrants (warrants in which the SRT is used because of a known specific danger)
 5. High risk situations in which a fast and effective breach would allow for an immediate opening of the threshold with minimal risk.
 - ii. 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.
 - iii. The following variables should be considered prior to using the breaching shotgun and may deter the use of the breaching shotgun:
 1. The presence of elderly individuals.
 2. The presence of children.
 3. The presence of flammable or explosive objects.
 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.

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- e. Training Requirements – 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.
- f. Fiscal Impacts – Initial \$1272
- g. Lifespans – No expiration date
- h. Number and types:
 - i. Remington 870 Breacher Shotgun
 - ii. Number of shotguns : 2
 - iii. Initial cost : \$636 each
 - iv. Picatinny rail on top of the receiver, Aimpoint T2 - \$798
 - v. Breaching Shotgun Rounds
 - 1. Initial Cost \$1400 for 200 rounds: Royal Arms International – Compressed Copper Powder 425 Grain
 - 2. Initial cost \$1400 for 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 AB48. These are not currently in use and no training program has been developed for them. No one is currently authorized to use this round.
 - vi. 2022 Usage – This equipment was not used outside of training during this 12 month period.

4. .556 / .223 Rifles

- a. 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.
- b. 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.
- c. 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.
- d. 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 are listed but not limited to the following:
 - i. Situations where there is a reasonable anticipation of an armed encounter.

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- 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.
- e. 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).
- f. Training requirements –
 - i. Special Response Team Training :
 - 1. SWAT Basic Course
 - 2. POST certified rifle course.
 - 3. SRT members must attend and pass biannual rifle qualifications. (Twice a year.)
 - 4. SRT members that do not pass either course may not deploy a rifle until the course is passed.
 - 5. SRT members are given up to 10 scheduled range dates with hands on shooting range practice.
 - ii. Patrol rifle deputies :
 - 1. Deputies must successfully pass a POST certified rifle course. This class must satisfy Penal Code requirements per section 33220(b).
 - 2. Deputies must attend and pass biannual rifle qualifications (twice a year.)
 - 3. SFSO 4 Hour patrol rifle refresher course that is POST certified.
- g. Number and types –
 - i. 4 : Aero Precision M16-A4. Initial cost \$1005.00
 - ii. 8 : Bushmaster XM15-E2S. Initial Cost 1400.00
 - iii. 6 : Bushmaster XM15-E2S Lower receiver. Initial Cost \$1400.00
 - iv. 12: Colt M4 Carbine. Initial Cost \$1100
 - v. 10 : EPR-LE6933 5.56mm. Initial Cost \$1245
 - vi. 4 : Colt Commando 5.56mm Initial Cost \$1245
 - vii. 11 : Colt AR15A3 5.56mm lower receiver, used for marking cartridges in training
 - viii. 26 : FN Herstal FN15 5.56mm Initial Cost \$974.00
 - ix. 4 : Geissele Government 5.56mm Initial Cost \$1084.00
 - x. 5 : Geissele URG-1 Initial Cost \$1061.65
- h. Lifespan – About 15 years
- i. Ammunition
 - i. 500 Cases, each case is 500 rounds : Federal .223 Remington 55 Grain \$203 per 500
 - ii. 500 Cases, each case is 500 rounds : Federal .223 Remington 62 Grain \$209 per 500

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- iii. 40 Cases, each case is 500 rounds : Speer .223 75 Grain \$286 per 500
- iv. 40 Cases, each case is 500 rounds : Speer .223 62 Grain \$272 per 500
- v. 20 Cases of 500 rounds : Federal .223 55 Grain Frangible \$297 per 500
- j. 2022 Usage – While this weapon was deployed (brought into the field) many times, it was never fired during this 12 month period.

5. Sniper rifles

- a. Description :
 - i. 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.
 - ii. 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.
- b. Capability – The sniper rifle provides SRT snipers the ability to engage hostile suspects at a great distance with accuracy.
- c. 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.
- d. Training Requirements - 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.
- e. Lifespans – 15 Years
- f. 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).
- g. 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.
- h. 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.
- i. 2022 Usage – This weapon was deployed for training but was not deployed outside of training during this 12 month period.

6. MP-5 Sub-Machine Guns

- a. Description – A compact, modular, lightweight, shoulder fired, submachine gun capable of semi-automatic or automatic fired chambered in 9mm.

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- b. 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.
- c. Authorized uses – The MP-5 is authorized for use to only the SRT. When this weapon is authorized by the Range Master for use, only SRT members are authorized to use it. 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 they are 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.
- d. Training – 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.
- e. Lifespan : Approximately 50,000 rounds.
- f. 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).
- g. Fiscal impacts : Initial Costs unknown. No annual costs.
- h. Number and types :
 - i. 6 : Heckler and Koch MP-5
 - ii. 2 : Heckler and Koch MP-5
- i. 2022 Usage – This was not deployed during this 12 month period.

7. Automatic Pistols

- a. Description - . 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. Capability – The G18 allows a pistol shooter to fire in full automatic firing mode.
- c. Authorized uses – This weapon is not authorized for use as formalized training has not been certified or approved by the Sheriff.
- d. Training – A training program has not been established for this weapon therefore no one can deploy with it.
- e. Legal and Procedural – This weapon has no authorized procedures and may not be used.
- f. Number and cost :
 - i. 3 : Glock G18. Unknown initial cost. No annual cost.
- g. 2022 Usage – These weapons were not deployed in this 12 month period.

8. Diversionary devices

- a. Description - It is an ATF-controlled Class-C explosive device that emits a bright light and thunderous noise to distract potentially dangerous individuals.
- b. Capability – Produces a 165-180db and 6-8 million candela of light output.
- c. Purpose – Distraction devices shall be used for distraction and surprise purposes only.
- d. Authorized uses – Flash Bangs may be used by the Special Response Team (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 feels 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. 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. The following variables should be considered prior to using flash-bangs and may deter the use of the flash-bang:

- i. The presence of elderly individuals.
 - ii. The presence of children.
 - iii. The presence of flammable or explosive objects.
 - iv. The presence of individuals with physical, mental, or intellectual disabilities.
 - v. The presence of medically compromised people.
 - vi. The presence of non-English speaking persons.
- e. Legal and Procedural – In accordance with AB 48, 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.
 - f. Training requirements –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.
 - g. Fiscal Impact – Initial : \$1700. Annual : \$240.00 for replacements.
 - h. Lifespan : 5 years
 - i. 6 CTS model 7290 Mini M single bangs
 - ii. 9 CTS model 7290-2 Mini double bangs
 - iii. 10 CTS model 7290 Single bangs
 - iv. 12 CTS model 7290-7 Seven bangs
 - i. 2022 Usage – This device was not used during this 12 month period.

9. 40mm Chemical Agent Launcher

- a. Description – 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. Capability – The 40mm launcher affords the ability to fire a variety of less lethal chemicals and impact munitions from distance.
- c. Purpose – 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

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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 or person. The 40mm launcher may not currently be used to fire impact weapons.

- d. Authorized use – 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 the Commission on Peace Officer Standards and Training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including 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 shall not be aimed directly at a person unless in an authorized deadly force situation. 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. The following variables should be considered and may deter from the use of chemical agents prior to using chemical agents:
 - i. The presence of elderly individuals.
 - ii. The presence of children.
 - iii. The presence of individuals with physical, mental, or intellectual disabilities.
 - iv. The presence of medically compromised people.
 - v. The presence of non-English speaking persons.
- e. Training requirements -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.
- f. Legal and Procedural rules – Use of launched chemical agents shall be consistent with Penal Code 13652, and AB 48. All use of force must follow the established policy SFSD 300 Use of Force.
- g. Lifespan – about 20 years.
- h. Fiscal Impacts
 - i. LMT 40mm Tactical Single Launcher : \$1100 each (2 purchased)
 - ii. FN 40GL Enhanced Grenade Launcher : \$1800 each (1 purchased)
 - iii. M203 40mm Launcher : \$1800 (2 purchased)
- i. 2022 Usage – This equipment was not used outside of training during this 12 month period.

10. Launched Chemical Agents

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- a. Description – 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. Capability - Dispersal of a chemical irritant can assist in stopping violent actions. Chemical agents can be launched from a safe distance.
- c. Purpose - Stated above in section 9-c.
- d. Authorized use – Stated in section 9-d.
- e. Training requirements – Stated in section 9-e
- f. Legal and Procedural – Stated in section 9-f.
- g. Number and types –
 - i. 50 : CTS 40MM Powder Projectile 4431 \$1148.50
 - ii. 50: CTS 40MM CS LIQUID PROJECTILE, PART # 4330 \$1099
 - iii. 50: CTS 40MM OC POWDER PROJECTILE, PART # 4441 \$1148
 - iv. 50: CTS 40MM OC LIQUID PROJECTILE, PART # 4340 \$1104
 - v. 50: CTS 40MM INERT POWDER PROJECTILE, PART # 4401 \$671
 - vi. 50: CTS 40MM INERT LIQUID PROJECTILE, PART # 4300 \$680.10
 - vii. 33: Pocket Tactical CS Grenade – smaller and may be hand deployed, \$29.40 each
 - viii. 50: 37mm AR-2 Pyrotechnic CS Smoke Munition, 24.99 per round.
 - ix. 280: 37 mm AR-3 Valve Impact Baton Munition CS – \$24.99 per round.
 - x. 50: 37mm AR-4 Pyrotechnic smoke (not a chemical irritant), 24.99 round.
 - xi. 75: 37mm AR-6 Muzzle Blast Munition, \$24.99 per round.

11.Arwen 37mm impact weapon launcher

- a. 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. Capability - 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.
- c. Purpose – The Arwen is used is used to deploy impact weapons to subjects demonstrating assaultive behavior. 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 be used to fire less lethal kinetic energy munitions.
- d. Authorized uses – 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. Non-issuance of a warning shall not be due to convenience, rather out of the necessity to stop injury or destruction of property. 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

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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. The Arwen may be deployed against individuals in the following circumstances:

- i. Individuals demonstrating assaultive behavior
 - ii. There is a reasonable belief that the individual possesses or has immediate access to a deadly weapon and intends violence.
 - iii. During a cell extraction to forcibly remove a resistive and violent inmate from a jail cell.
 - iv. To suppress a jail disturbance.
 - v. To control a person who poses an imminent threat.
 - vi. To incapacitate a ring leader or instigator in a jail disturbance/riot.
 - vii. To prevent an individual from harming themselves
 - viii. To bring an objectively dangerous and unlawful situation safely and effectively under control.
 - ix. 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 13652. In addition, all requirements and considerations consistent with AB48, shall be followed when bringing an objectively dangerous and unlawful situation safely and effectively under control.
- e. 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:
- i. The presence of elderly individuals.
 - ii. The presence of children.
 - iii. The presence of individuals with physical, mental, or intellectual disabilities.
 - iv. The presence of medically compromised people.
 - v. The presence of non-English speaking persons.
- f. Training Requirements – Emergency Services Unit members must complete department training consisting of both classroom and hands on training in the use of the Arwen (SFSO qualification every 2 years.)
- g. Legal and procedural rules - Use of the ARWEN 37 shall be consistent with Penal code 13652, PC 835 and AB 48. All use of force must follow the established policy SFSD 300 Use of Force.
- h. Fiscal impact: Cost of 6 launchers : 18,450 (3,075 per unit)
- i. Number of Arwens : Arwen 37 Mark 3 – We have 18 Arwens.

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- j. 2022 Usage – This equipment was not used outside of training during this 12 month period.

12. Less Lethal impact munitions

- a. Description – 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. Smaller diameter than military 40mm.
- b. Capability: Munitions capable of accurate less lethal strikes to specific target areas to reduce the risks posed by human behavior.
- c. Purpose - 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.
- d. Authorized uses – The less lethal impact munitions shall only be used in conjunction with the 37mm launcher. Authorized uses are stated in section 11-d.
- e. Training – Training is stated in section 11-e.
- f. Legal and procedural rules – Use of the ARWEN 37 shall be consistent with Penal code 13652, PC 835 and AB 48 and the Use of Force Policy.
- g. Fiscal impact :
 - i. AR-1 Baton Munition – We have 720 at \$24.99 per round.

13. Unmanned, remotely piloted ground vehicle

- a. Description – Small and durable, the Scout Throw Robot weighs just 1.2lbs yet can survive throws of 120 feet and deliver video reconnaissance within dangerous environments.
- b. Capability - The Recon 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.
- c. Purpose – A remotely controlled unmanned machine that operates on the ground, which can provide information for the Incident Commander to make sound decisions.
- d. Authorized use – Outside of training, the Scout can only be used by members of the SRT for any operation in which the tactical commander feels 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.
- e. Fiscal impact – Purchased in 2008 for an unknown initial cost.
- f. Legal and Procedural - Use of the scout is for official law enforcement purposes and in a manner that respects the privacy and 4th amendment rights of our community.
- g. Lifespan – 10 years. This robot is past its usable life and is no longer used.
- h. 2022 Usage – This equipment was not used during this 12 month period.

14. Definitions

- a. Barricaded subject
 - i. 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
 - i. 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 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



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MP5 Submachine Gun

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



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.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



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.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.



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.556 /.223 Rifles

.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.



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



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Chemical Agents

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



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AB 481 Presentation

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.



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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.

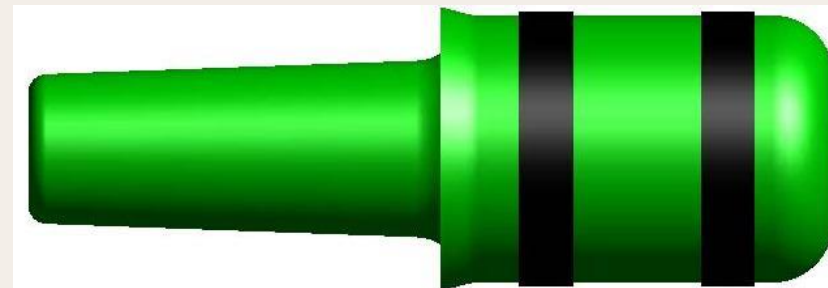
37mm only used for impact munitions

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?

From: [Jennifer Tu](#)
To: [Young, Victor \(BOS\)](#)
Cc: [John Lindsay-Poland](#)
Subject: Fw: Agenda Item #8 - SF Sheriff proposed military equipment use policy
Date: Monday, January 23, 2023 1:20:58 PM

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

Hi Victor, would it be possible to include this letter in the [item file](#)?

I also noticed that the latest proposed policy from the Sheriff isn't available in the [item file](#), would it be possible to have that added?

Thank you!

Jennifer Tu

[Read our report: Equipped for War](#)

Ristad Fellow, [California Healing Justice Program](#)

American Friends Service Committee

From: John Lindsay-Poland <JLindsay-Poland@afsc.org>
Sent: Sunday, January 22, 2023 8:40
To: aaron.peskin@sfgov.org <aaron.peskin@sfgov.org>; chanstaff@sfgov.org <chanstaff@sfgov.org>; mandelmanstaff@sfgov.org <mandelmanstaff@sfgov.org>
Cc: victor.young@sfgov.org <victor.young@sfgov.org>; calvin.yan@sfgov.org <calvin.yan@sfgov.org>; robyn.burke@sfgov.org <robyn.burke@sfgov.org>; Jennifer Tu <JT@afsc.org>
Subject: Agenda Item #8 - SF Sheriff proposed military equipment use policy

January 22, 2023

Dear Members of the Rules Committee,

We encourage Members of the Rules Committee to raise questions in tomorrow's public hearing in order to inform the public and yourselves about the SF Sheriff's Department use of military equipment, and to request changes that would better safeguard the public's welfare, safety, civil rights, and civil liberties. This letter includes questions and concerns around the proposed policy, as well as appreciation for improvements over the past two months.

Over the past year, American Friends Service Committee (AFSC) has been supporting communities across California in analyzing military equipment use policies as law enforcement

agencies begin to comply with new state law [AB 481](#). The law grants ample time for governing bodies to consider a proposed policy, and the SF Sheriff's Department has put this time to good use through iterating and improving on its proposed policy. AFSC met with Rani Singh and Lt. Jonathan Kuhns of the SF Sheriff's Department about half a dozen times since late November, and discussed about as many iterations of their proposed policy. The proposed policy the Committee considers on Monday, January 23 has evolved significantly from the policy originally proposed in November, thanks to Ms. Singh's and Lt. Kuhns's willingness to engage with our ideas, share their knowledge of Sheriff's Department practices, and explore different approaches to the policy. We hope their collaborative spirit and the improved policy that resulted may be an example to other law enforcement agencies for engaging with the public.

Questions to inform Supervisors and the public about use of military equipment

Use of impact projectiles, chemical agents in jail: Impact projectiles and chemical agents may be used in the jail, which incarcerates people with mental health conditions.

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How large are jail cells, how many people are in a cell, and what is the likely shortest distance from which projectiles could be fired at a person in a cell?

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Please describe any physiological differences in use of impact projectiles at that distance versus a further distance. Would there be an increased risk of serious bodily injury or death if a person were struck in a vital organ from a closer range?

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If a chemical agent were used inside a jail cell, what would limit the chemical agents' effect on persons in neighboring cells?

Submachine gun

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Since the MP-5 submachine gun is currently phased out, and the weapons are more than 20 years old, would you consider a process of decommissioning this weapon?

Assault rifles, breaching shotguns

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We are glad that you have listed the presence of elderly, children, disabled, and non-English speaking people as variables for not deploying impact weapon launchers, chemical agents and flashing devices, which are not prohibitions, but considerations. Why should these not also be considerations - again, not prohibitions - when deciding whether to deploy assault rifles or breaching shotguns, for example into a home?

Distinguish between “use” or “deployment” and “firing” of weapons

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Thank you for including context for recent use of weapons. The state law requires an annual report on the *use* of each type of weapon. Can you clarify that this report will distinguish between deploying a weapon and firing it?

Concerns around proposed policy’s compliance and ability to safeguard public safety, welfare, civil rights, and civil liberties

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Effectively unlimited authorized uses of drones

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Drones are authorized “anytime a supervisor believes the use of a UAS would improve operational safety and incident stabilization.” Drones are also authorized to “gather and preserve evidence.” This means drones could be used to monitor a crowd, including for the purpose of storing images that could identify individuals in the crowd. Drones would also be authorized to observe in places where there would be a reasonable expectation of privacy, without a warrant.

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Submachine guns (MP-5) are authorized for any SRT operation. While the weapon is being “phased out,” according to the proposed policy, should the Department put them back into operation, under this policy, the authorized deployments would be overly broad.

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[Compliance issue] State law requires describing the procedure by which members of the public may register questions, concerns, and complaints, and how these would receive a timely response. This is not included in the proposed policy. We recommend making any potential policy approval contingent on including this procedure (which Ms. Singh has informed us she is working towards).

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[Compliance issue] State law requires identifying an **independent oversight authority**. **This is not included in the proposed policy**. We recommend making any potential policy approval contingent on including this information, and for the independent oversight authority's meetings for this oversight purpose to be open to public attendance and comment.

Improvements over the past two months

- The first draft of this policy in November did not include several components required by state law, such as the quantities, training, purpose, descriptions, and authorized uses of military equipment. These have now been defined in the proposed policy.
- The proposed policy now proactively prohibits use of force with drones.
- A note of appreciation goes to Lt. Kuhns, who was willing to experiment with a novel approach to authorized use, tied to purpose, for rifles.

We appreciate your attention to these issues and are available to discuss them with you or your staff.

Sincerely,

John Lindsay-Poland, [California Healing Justice](#) Co-Director
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Subject: January 23, 2023 Board of Supervisors Rules Committee: Item 221062: Funding, Acquisition and Use of Certain Sheriff's Department Equipment.
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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