

MEMORANDUM**TO: TO FILE****DATE: APRIL 8, 2022****FROM: CARLOS REYNOSO**
CHIEF OF POLICE**SUBJECT: MILITARY EQUIPMENT REPORT**

California Government Code Section 7070 provides a list of sixteen (16) types of equipment that are to be considered "Military Equipment" for the purpose of compliance with AB 481 and the associated California Government Codes, and the Police Department does possess and use some of these listed types of equipment.

Of the sixteen (16) types of equipment specified, the Police Department possesses only four (6) types. The list of the sixteen (16) types of Military Equipment per California Government Code Section 7070 is included below. Equipment types that the Police Department possesses are noted in bold type.

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
 - a) **The Police Department possesses three (3) CIVILIAN MODEL unmanned, remotely piloted aircrafts (drones). UAS/Drones may be utilized to enhance the Department's mission of protecting lives and property when other means and resources are not available or are less effective. Uses may include but are not limited to: search and rescue; suspect apprehension; crime scene documentation; tactical operations; scene security; hazard monitoring, identification and mitigation; response to emergency calls; crisis communications; legally authorized surveillance. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision. The Hollister Police Department does not possess any vehicles in this category.
3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision. The Hollister Police Department does not possess any vehicles in this category.

4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion. The Hollister Police Department does not possess any vehicles in this category.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
 - a) **The Police Department shares possession of a Mobile Command Vehicle (MCV). The vehicle is stored at the Sheriff's Office when not in use and was purchased with Homeland Security Funds for the use of the Sheriff's Office, County and City Fire Departments, the Police Department and County Public Health Department. This vehicle is not armored or weaponized in any way and is used to facilitate unified command during critical and planned incidents. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
6. Weaponized aircraft, vessels, or vehicles of any kind. The Hollister Police Department does not possess any aircraft, vessels or any vehicle in this category.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision. The Hollister Police Department does not possess any equipment in this category.
8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision. The Hollister Police Department does not possess any firearms in this category.
9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision. The Hollister Police Department does not possess any ammunition in this category.
10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
 - a) The Police Department possesses semi-automatic rifles. These rifles are standard-issue duty weapons for all Peace Officers, which actually exempts them from this policy per California Government Code Section 7070(c)(10).

b). The Police Department possesses several rifles and specialized equipment in this category. They are stored in the city armory and they are not used for patrol functions. These firearms are designed to only be potentially used for SWAT operations and this department currently does not have a SWAT component.

Quantity	Make	Model	Caliber
1	COLT	M16 Auto	223
2	COLT	AR15 Auto	223
1	SPRINGFIELD	SPR	7.62
1	ARMALITE	AR10	7.62
4	H&K	MP5 Auto	9mm

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

a) The Hollister Police department has one 37mm tear gas launcher that was previously for the SWAT team. The department does not have any 37 mm projectiles capable of being used with this device. The department will be seeking to reclassify this device as surplus and obsolete and will seek appropriate disposition.

b) The Hollister Police Department has one M203 40mm launcher attachment previously used by the SWAT team. The department does not have any 40 mm projectiles capable of being used with this device. The department may be seeking to reclassify this device as surplus and obsolete and will seek appropriate disposition.

12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

a) The department has three Pepper Ball Launchers (basically a paint ball air gun). The launchers are not military in any way but are included in the language of this law. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

b) The department does not currently possess any "Flashbangs" grenades or explosive breaching tools or tear gas.

13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD). The department does not have any of these devices.

14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
 - a) **The Police Department possesses sixteen (16) less lethal projectile launchers (shotguns). These launchers are not 40 mm and are much smaller but are added to this list for transparency. The Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less lethal use of force option. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.
16. Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.