

AB 481 ANNUAL REPORT 2024

EAST BAY REGIONAL PARK DISTRICT POLICE DEPARTMENT



We build and sustain public trust and transparency while fostering strong partnerships within our community.



East Bay 
Regional Park District

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INTRODUCTION



The East Bay Regional Park District Police Department serves one of the largest and finest park districts in the nation. Our police officers undertake a challenging yet fulfilling role, and it is my responsibility to ensure they receive the essential training, resources, equipment, guidance, and support while keeping our community and visitors safe.

To provide the highest level of service and maintain public safety, East Bay Regional Park District (EBRPD) Police Department retains and employs a small inventory of items that are defined by the State of California as “military equipment.”

The Department recognizes that critical incidents are unpredictable and often dynamic in nature. The availability of a variety of military equipment options and less-lethal resources can greatly assist in bringing those incidents to a swift resolution in a safe manner.

The use of military equipment, as defined under Assembly Bill 481 (AB 481), is restricted for use only in certain situations and by qualified, specialty trained officers, or units. It is important to note that the term military equipment as used in AB 481 does not necessarily indicate the equipment is, or has been, used by the military. Many items defined as military equipment by the bill are only used by law enforcement to preserve life and enhance public and officer safety while remaining prepared to manage the various lethal and non-lethal challenges they may face. The Department’s policies regarding the use of equipment listed in AB 481 are consistent with overall best practices employed by police departments throughout the state of California and nation.

Items used by the East Bay Regional Park District Police Department considered as military equipment under AB 481 include, but are not limited to, emergency response equipment such as a mobile incident command vehicle, armored rescue vehicle, unmanned aircraft system (commonly known as a drone), and other select items.

The Annual AB 481 Military Equipment Report outlines a summary of military equipment available, usage guidelines, inventory, fiscal impact, and other information. We recognize the public’s interest in how “military equipment” is used to protect our community, and we are committed to maintaining our community’s trust. As a result, and in accordance with annual reporting requirements set forth by applicable law found in AB 481, we are presenting the 2024 Annual AB 481 Annual Report in a more comprehensive manner to remain fully transparent and assist our community in understanding the Department’s responsibility to the State, East Bay Regional Park District, and the people we serve.

As always, if you have any questions, please don’t hesitate to contact us.

Sincerely

Roberto Filice, Chief of Police

HISTORY OF AB 481

On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481 (AB 481) which requires California law enforcement agencies to adopt a written Military Equipment Use Policy prior to the Mayor and City Council or “governing body” (hereafter referred to as the Park District Board of Directors) taking certain actions relating to the funding, acquisition, or use of military equipment, as defined within its jurisdiction if the equipment meets specified standards.

A summary of AB 481 is below, in which the Legislature declared the following:

- a) The acquisition of military equipment and its deployment in our communities adversely impacts the public’s safety and welfare, including increased risk of civilian deaths, significant risks to civil rights, civil liberties, and physical and psychological well-being, and incurment of significant financial costs. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities.
- b) The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency’s decision to fund, acquire, or use such equipment.
- c) Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public’s welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.
- d) Legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect the public’s welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.
- e) The lack of a public forum to discuss the acquisition of military equipment jeopardizes the relationship police have with the community, which can be undermined when law enforcement is seen as an occupying force rather than a public safety service.

Read the full bill text at: [Bill Text: CA AB481 | 2021-2022 | Regular Session | Chaptered | LegiScan](#)

To address these concerns, AB 481 now requires every California law enforcement agency meet specific criteria pertaining to the funding, acquisition, or use of military equipment as defined by Government Codes 7070 – 7075:

- Create a Military Equipment Use Policy
- Obtain approval of that policy by each agency’s applicable governing body
- Publish that policy 30 days prior to the above required approval hearing
- Create an Annual Report of each agency’s military equipment use
- Hold a community engagement meeting within 30 days of submitting/publicly releasing the above Annual Report

MILITARY EQUIPMENT USE POLICY

The East Bay Regional Park District Police Department has met the requirements under California law by creating Military Equipment Use Policy 709, providing an online resource for community complaints/engagement, and assigning the responsibility of the required Annual Report to the Military Equipment Coordinator as outlined in East Bay Regional Park District Police Department (EBRPD Police Department) Policy 709.3, all in compliance with Assembly Bill 481. In addition to identifying items which fall under military equipment, the Military Use policy includes the following information:

- Equipment Description
- Quantity
- Capabilities
- Expected Lifespan
- Purpose and Authorized Use
- Initial Cost and Fiscal Impact
- Legal and Procedural Rules that govern each use
- Required Training
- Compliance Mechanisms
- Procedures in which members of the public may register concerns or [complaints](#)

Full text of EBRPD Police Department's Military Use Policy 709 is attached as Addendum A to this report.

Please note that while the Department's Military Use Policy is wide-ranging, it may not be all-inclusive. There may be instances wherein unpredictable critical incidents demand the need for incident commanders, supervisors, individual officers, or specialized teams to authorize military equipment to be used in a manner not outlined specifically with the Department's policy. In scrutinizing those rare incidences, the judgment of the incident commander is influenced by the totality of the circumstance, public safety, officer safety, civil rights, information available at the time of use, and within the confines of department policy and California state law.

ANNUAL AB 481 REPORT OVERVIEW

Per Government Code 7070 - 7075:

(a) a law enforcement agency that receives approval for a Military Equipment Use Policy is required to submit to the governing body an annual military equipment report for each type of military equipment, as defined in [Government code 7070](#), approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use.

The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- 1) A summary of how the military equipment was used and the purpose of its use
- 2) A summary of any complaints or concerns received concerning the military equipment
- 3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response
- 4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report
- 5) The quantity possessed for each type of military equipment
- 6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located Community Engagement Meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

ADDITIONAL REQUIREMENTS

Community Engagement Meeting

A community engagement meeting to review the Department's Military Equipment Use Policy and AB 481 Annual Report is scheduled for March 6, 2025, at EBRPD Police Headquarters from Noon – 1 p.m. The AB 481 Annual Report has been made available to the public.

District Approval

In conjunction with the Military Equipment Use Policy and with the collaboration of the Park District Board of Directors, a Military Equipment Use Policy and Consent Decree were drafted. The Consent Decree and Policy were drafted based on the following findings pursuant to AB 481:

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

On February 18, 2025, the Park District Board of Directors is scheduled to review the East Bay Regional Park District Police Department's Military Equipment Annual Report and request for additional equipment.

Department Training Summary

AB 481 requires that all usage and training associated with military equipment be tracked and documented. Training is defined as any training course or exercise which utilizes specified equipment, including consumables. EBRPD Police Department has been proactive in an effort to meet this requirement effectively and is tracked through our Police Records Management System (RMS). Examples of training may include specialty training for using certain pieces of equipment, such as:

- Training on Less Lethal Systems, including the 40mm less lethal launcher and kinetic impact munitions, etc.
- Annual and re-qualifications for rifles and launchers, including POST certification prior to being authorized to carry each

Acquisition and Fiscal Costs

Unless otherwise indicated in this report, the funding related to acquisition, maintenance, use, and training comes from the Police Department's general budget.

The inventory of military equipment possessed by the East Bay Regional Park District Police Department fluctuates due to considerations such as operational usage, training, maintenance, expiration, replacement guidelines, or future acquisitions planned or unplanned.

NOTE: East Bay Regional Park District Police Department does not currently receive or utilize surplus military equipment. Additionally, EBRPD Police Department does not participate in the Law Enforcement Support Officer 10-33 program.

Definitions

For the purposes of military equipment tracking, the following are several key definitions used in this report:

Usage: The intentional or unintentional operation, launch, discharge, detonation, activation, ignition, or impact of specified equipment by a person or object in response to an incident requiring investigative or enforcement action shall be a reportable "usage" of the item. For vehicles, including unmanned aerial systems (UAS) and robots, a usage occurs when the item performs a function to assist in the mission of the investigative or enforcement action.

Consumables: Munitions or chemical agents.

Training: Any training course or exercise which utilizes specified equipment, including consumables.

CATEGORIES OF ITEMS DEFINED IN AB 481

Enumerated through Government Codes, AB 481 created the following 15 categories of items deemed as military equipment. Listed is a summary of all fifteen (15) categories, along with the categories of military equipment utilized by the East Bay Regional Park District Police Department or currently included in its inventory (as noted with an asterisk).

*Category 1:	Unmanned, remotely piloted, powered aerial or ground vehicles
*Category 2:	Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
Category 3:	High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached
Category 4:	Tracked armored vehicles that provide ballistic protection to their occupants
*Category 5:	Command and Control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
Category 6:	Weaponized aircraft, vessels, or vehicles of any kind
Category 7:	Battering rams, slugs, and breaching apparatuses that are explosive in nature
Category 8:	Firearms of .50 caliber or greater, excluding standard-issue shotguns
Category 9:	Ammunition of .50 caliber or greater, excluding standard-issue shotgun ammunition
*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.
Category 11:	Any firearm accessory that is designed to launch explosive projectiles
Category 12:	“Flash-bang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray
Category 13:	TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices
*Category 14:	The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons
Category 15:	Any other equipment as determined by a governing body or a state agency to require additional oversight

***EBRPD Police Department has equipment in these categories.**

INVENTORY OF MILITARY EQUIPMENT POSSESSED BY EAST BAY REGIONAL PARK DISTRICT POLICE DEPARTMENT

The Department possesses items under 5 (five) of the 15 (fifteen) Categories which are detailed in the Policy. The 5 categories of “military equipment” and inventory are identified in the tables below:

Category 1

Item – UAVs	Manufacturer	Model	Quantity
Unmanned Aerial Vehicle	Da-Jiang Innovations (DJI)	Axon Air Mavic 3	6

Category 2

Item – Armored Vehicle	Manufacturer	Model	Quantity
Ballistic Armored Tactical Transport (BATT-S)	2010 Ford F-550	4x4 BATT-S	1

Category 5

Item – Incident Command Vehicle	Manufacturer	Model	Quantity
Mobile Incident Command Vehicle	Life Design Vehicle, Inc. (LDV)	C30MCC-10	1

Category 10

Item – Semi-automatic Rifles	Manufacturer	Model	Quantity
AR-15 Style Rifle, converted to semi-automatic	LWRCI	C30MCC-10	2
AR-15 Style Rifle with 14.5 barrel, semi-automatic	Colt	6944	3

Category 14

Item – Launcher	Manufacturer	Model	Quantity
Green, expandable stock	Lewis Machine Tool (LMT)	1425	32
Black, fixed stock	DT	1327	1
Black, expandable stock	Pacem Defense - AMTEC (ALS)	ALSTAC-40	1
Item – 40mm	Manufacturer	Model	Quantity
Sponge Round	DT	6325	108

CATEGORY 1 – Unmanned remotely piloted, powered aerial or ground vehicles

Unmanned Aerial System (UAS)

A UAS is an unmanned, remotely powered aerial system of any type that can sustain direct flight, whether remotely piloted or via pre-programming, and all the attached systems are designed for gathering information via photography, recording, or any other means.

Definitive Section: [CA Gov't Code Section 7070\(c\)\(1\)](#)

East Bay Regional Park District Police Department Policy: [605.6 USE OF UAS](#)



DJI MAVIC 3 – Axon Air Mavic 3 Thermal SP Plus – The DJI Mavic 3 Thermal SP Plus Drone is a lightweight, compact, and foldable design that makes it easy to carry for solo operation. This is a commercial grade UAS equipped with a high-definition thermal imaging camera.

Acquisition Cost: \$5,998, Quantity: 6

Most Recent Purchase: 2023

Lifespan: 7-10 years

Manufacturer Description: Featuring an iconic Hasselblad L1D-20C camera which boasts a 1-inch CMOS sensor. Key features include its 5-mile range using DJI's new OcuSync 2.0 technology with extended flight time with its 3850 mAh battery, making it the longest flight time for a consumer drone on the market.

Description, Purpose and Capabilities: The DJI Mavic 3 Thermal SP Plus is capable of up to 45 minutes of flight time and is ideal for taking expansive shots and rapid surveying; the 12MP tele gets you close with a 56x hybrid zoom, and the thermal camera makes it easier to carry out inspections and search and rescue missions.

Authorized Use:

- Post-incident crime scene preservation and documentation
- HAZMAT response
- Locating individuals actively fleeing or hiding in an attempt to avoid apprehension by law enforcement
- Search and rescue
- Barricaded suspects and other high-risk tactical operations
- Locating individuals who are missing or a danger to themselves or others
- Disaster response (Flood, earthquakes, etc.)
- Training missions
- Fire prevention and fire response
- Pursuant to a search warrant
- Any situation where the use of a UAS would enhance public safety and/or officer safety and would be deemed lawful and reasonable

A UAS shall not be flown over crowds or Beyond Visual Line of Sight (BVLOS) without FAA approval. Approval that permits use over crowds and BVLOS must be obtained before such use is begun. This approval may be covered under the Department granted COA or FAA Part 107 Waivers with the exemption granted in writing. Any exemption granted does not expire and is continual once received and does not need to be sought unless the COA or Certificate of Waiver is up for renewal or modification.

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

Training: Only Part 107 Licensed Department UAV Operators will be permitted to deploy a UAS during a non-training event. The Pilot in Charge will ensure that a Flight Risk Assessment and a Preflight Checklist (as these terms are defined by the FAA) are both completed prior to UAS utilization. The Flight Risk Assessment and the Preflight Checklist will be retained for all utilizations not related to training. The Pilot in Charge shall notify dispatch of the UAS utilization and dispatch shall document the utilization in the supplement portion of the associated CAD event. Preflight notifications to local air traffic control facilities may be required as directed by FAA regulations.

Legal and Procedural Rules: The Department will only deploy the UAV for official law enforcement purposes or approved missions pursuant to applicable Federal & State laws, EBRPD Police Department's UAV Policy 605.6, and in a manner that respects the privacy of our community.

Prohibited Use (Policy 605.7): Pursuant to the East Bay Regional Park District Police and Fire Division, UAS shall not be used:

- To conduct random surveillance activities
- To target a person or group based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability
- To harass, intimidate, or discriminate against any individual or group
- To conduct personal business of any type
- In a reckless or negligent manner
- By an Operator under the influence of alcohol, or any narcotic or prescription medication that alters or effects the operator's ability to safely operate the UAS or causes impairment as outlined by the FAA
- The UAS shall not be weaponized

2024 REPORTING REQUIREMENTS – CATEGORY 1, UAS

- **Authorized Usage:** Total number of flights – 242
 - Administration Flights – 5
 - Agency Assist – 1
 - Directed Patrol – 8
 - General Flights – 1
 - Investigations – 1
 - Search and Rescue – 1
-

- Training Flights – 198
 - Total hours – 40.33

Unauthorized Usages in 2024 | Audits, Violations & Actions Taken in Response: There have been zero (0) reported violations of the military equipment use policy.

Complaints/Concerns Raised: There have been zero (0) reported complaints.

Fiscal Impact: The estimated annual cost of the UAV varies, based on the need of battery replacement and general maintenance. Costs incurred in 2024 were \$40,589.54.

CATEGORY 2 – Mine-resistant ambush-protected vehicles or armored personnel carriers

2010 Ford F-550 Ballistic Armored Tactical Transport (BATT-S) Vehicle

Definitive Section: CA Gov't Code Section [CA Gov't Code Section 7070\(c\)\(2\)](#)

East Bay Regional Park District Police Department Policy: 707.9



2010 Ford F-550 Ballistic Armored Tactical Transport (BATT-S) Vehicle

This is a commercially produced 4-wheel drive vehicle designed for law enforcement to be used in response to critical incidents to enhance officer and community safety by providing ballistic protection, vehicle-based rescue operations, and use in rough terrain which can limit equipment availability.

Cost: \$142,350, Quantity: 1

Lifespan: 10 years

Most Recently Purchased: 2010

Lifespan: 10 years

Manufacturer Description: The East Bay Regional Park District Police Department operates a Tactical Rescue/Utility Vehicle (Ballistic, Armored, Tactical, Transport - BATT), which is housed at the Department.

Description, Purpose and Capabilities: East Bay Regional Park District Police Department uses the Ballistic Armored Tactical Transport (BATT-S) vehicle to safely transport personnel to and from critical incidents, extract citizens from volatile situations, for high-risk rescue operations or support rescues during disasters.

Authorized Use: The use of armored vehicles shall be authorized based on circumstances of a given critical incident by the Special Response Unit Commander. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with department Policy and training. The Department shall utilize armored vehicles for official law enforcement purposes and pursuant to State and Federal Law. Occasionally, the BATT vehicle may also be used during some community engagement events to offer transparency and allow the community to garner a better understanding of what equipment we have and how it is used.

Training Requirements: All drivers/operators are licensed by The Department of Motor Vehicles with Class B airbrake endorsement. They attend formalized instruction in vehicle operations, practical driving instruction in preparation for the license examination, and deployment procedures.

Legal and Procedural Rules: The Department shall utilize armored vehicles only for official law enforcement purposes and pursuant to State and Federal Law. Applicable department policies include but are not limited to 709.9 Tactical Rescue/Utility Vehicle Use. The access, required training, and use of the BATT are maintained by the Special Response Unit Commander.

2024 REPORTING REQUIREMENTS – CATEGORY 2

Authorized Usage: 4

4/22/24 – Armed suspect at large

8/8/24 – Armed suspect at large

12/12/24 – Agency assist

12/19/24 – Agency assist

Unauthorized Usages in 2024 | Audits, Violations & Actions Taken in Response: There have been zero (0) reported violations of the military equipment use policy.

Complaints/Concerns Raised: There have been zero (0) reported complaints.

Fiscal Impact: General maintenance as needed. Approximately \$1,000 in maintenance and repair in 2024.

Category 5 – Command and Control Vehicles

Equipment Type: Mobile Incident Command Vehicle (MIV)(MIC)

Definitive Section: [CA Gov't Code Section 7070\(c\)\(5\)](#)

East Bay Regional Park District Police Department Policy: 707.5 Mobile Incident Command Vehicle



2016 LDV Custom Specialty Vehicle/MCV/MIC – The East Bay Regional Park District Police Department currently has one vehicle that qualifies within this category, a Mobile Incident Command and Control Vehicle (MIC) which serves as an emergency communications center deployed to crime scenes and used as an incident command vehicle for major events/issues.

Cost: \$337,798, Quantity: 1

Lifespan: 10 years

Most Recently Purchased: 2016

Manufacturer Description: The 2016 LDV Model C30MCC-10 is a Mobile Incident Command Center (MIC) designed by LDV, which specializes in building robust commercial vehicles, including mobile command centers and community engagement vehicles. These vehicles are built on sturdy chassis and feature all-aluminum body construction, ensuring durability and longevity.

Description, Purpose and Capabilities: East Bay Regional Park District selected a 30' Freightliner M2 with an all-aluminum body as the platform for their mobile command center. With a spacious front conference room, central galley and lavatory as well as two rear workstations, this versatile and maneuverable unit LDV has a built mobile command center. Used as a mobile base of operation, this vehicle contains specialized command, control, and communications equipment that can be used during critical incidents, large events, natural disasters, and community events.

The Mobile Incident Command Vehicle brings a number of resources to the scene, including radios, telephones, climate-controlled environment and rest facilities. Due to its unique function, the MIC can also be deployed at community events as a static demonstration with an operator on scene to answer the public's questions about the vehicle functionality and deployment.

Authorized Use: The Mobile Incident Command Vehicle is designed to respond as a tactical command or unified command post during disaster or emergency response situations. The vehicle may be used as a command post for any other East Bay Regional Park District Public Safety Department Operation.

In special circumstances, the MIC can be utilized as a regional asset and as such may be deployed in other jurisdictions in cases or mutual assistance requests.

The MIC may be deployed to crime scenes and serve as a field command post and communications hub during different types of incidents, including but not limited to, during emergencies or natural

disasters, community events and training, or to support major prolonged incidents where a command post is beneficial.

Training Requirements: Operation of our MIC requires a standard driver's license. Users are required to participate in additional department approved familiarization and practical driving training.

Legal and Procedural Rules: The Department shall utilize the Mobile Incident Command and Control vehicle only for official law enforcement purposes and pursuant to State and Federal Law.

2024 REPORTING REQUIREMENTS – CATEGORY 5

Authorized Usage: 5

1/1/24 – Deployed to extended crime scene
7/2/24 – Deployed to extended search for missing person
7/26/24 – Deployed to extended fire scene
10/2/24 – Deployed to extended search for missing person
10/16/2024 – Deployed to extended crime scene

Unauthorized Usages in 2024 | Audits, Violations & Actions Taken in Response: There have been zero (0) reported violations of the military equipment use policy.

Complaints/Concerns Raised: There have been zero (0) reported complaints.

Fiscal Impact: General maintenance as needed. Approximately \$1,000 in maintenance and repair in 2024.

Category 10 - Specialized Firearms and Ammunition of less than .50 caliber, including assault weapons as defined in sections 30510 and 30515 of the CA Penal Code

Equipment Type: Specialized Firearms and Ammunition used by qualified trained officers.

Definitive Section: [CA Gov't Code Section 7070\(c\)\(10\)](#)

East Bay Regional Park District Police Department Policy: 300 Use of Force, and 312 Training for Firearms (Patrol Rifles, Special Weapons and Gas)



Colt 6944 Law Enforcement Carbine

Acquisition Cost: \$1,210, Quantity 3

Lifespan: 10 years

Most Recently Purchased: 2011



LWRC International M6-G 5.56 M6A2 Carbine

Acquisition Cost: \$2,527.32, Quantity 2

Lifespan: 10 years

Most Recently Purchased: 2014

Manufacturer Descriptions:

The Colt LE6944 is a gas-piston operated, rotary bolt, magazine fed, air-cooled, self-loading rifle chambered in 5.56x45mm NATO and 6.8x43mm SPC based on the Stoner AR-15 architecture. It is designed with a true free-floating barrel to provide enhanced accuracy necessary for long-range acquisition capability.

The LWRC International M6 series are gas-piston operated, rotary bolt, magazine fed, air-cooled, self-loading rifles chambered in 5.56x45mm NATO and 6.8x43mm SPC based on the Stoner AR-15 architecture. Designed with a true free-floating barrel provides the enhanced accuracy necessary for long-range acquisition capability.

Description, Purpose and Capabilities: Both firearms are AR-15 style rifles. The Colt 6944 has a 14.5 barrel and is semi-automatic. The M5A2 Carbine has a 10.5 barrel and has been converted to semi-automatic by the Department Armorer.

The East Bay Regional Park District Police Department equips its officers with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. These two firearms are to be used as precision weapons to address a threat with more precision and/or at greater distances than a handgun.

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

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

Applicable Policies for Authorized Use: It is the policy of EBRPD Police Department to utilize firearms only for official law enforcement purposes, applicable department policies, and pursuant to state and federal laws. Applicable department policies include but are not limited to 300 Use of Force, and 312 Firearms.

Firearms (Patrol Rifles, Special Weapons and Gas)

POLICY 312.3.3 PATROL RIFLES – Note: The Colt AR-15 and LWRC M6 are standard issue firearms for Patrol Officers.

The authorized department-issued patrol rifle is the Colt AR-15. The following additional patrol rifles are approved for on-duty use:

MAKE	MODEL	CALIBER
BCM	M4	.223/5.56
Bushmaster	XM15	.223/5.56
Colt	M16, M4	.223/5.56
Daniel Defense	DDM4	.223/5.56
LWRC	M6	.223/5.56
Rock River Arms	AR15	.223/5.56
Sig Sauer	M400	.223/5.56

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

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

312.5 SAFE HANDLING, INSPECTION AND STORAGE

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

Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

Training Requirements:**312.6 FIREARMS TRAINING AND QUALIFICATIONS**

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least twice a year. Training and qualifications must be on an approved range course.

The range staff will provide, as part of the range program and prior to being authorized to carry a weapon, instruction in the areas of:

- Use of Force
- Use of Lethal Force
- Less Lethal Weapons
- Rendering Medical Aid after Use of Force

Each member shall also demonstrate knowledge and understanding of the associated policies. At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

2024 REPORTING REQUIREMENTS – CATEGORY 10

Authorized Usage: 0

Unauthorized Usages in 2024 | Audits, Violations & Actions Taken in Response:

There have been zero (0) reported violations of the military equipment use policy.

Complaints/Concerns Raised: There have been zero (0) reported complaints.

Fiscal Impact: No costs in 2024.

Category 14 - 40MM Projectile Launchers and Munitions

The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons

Equipment Type: 40MM Projectile Launchers and Projectiles

Definitive Section: [CA Gov’t Code Section 7070\(c\)\(14\)](#)

Current Inventory of 40mm Launchers below (Training use only, with the exception of the 40MM launcher and 6325 sponge round duty munitions):

Manufacturer	Equipment	Type	Year Purchased	Qty	Acquisition Cost
LMT	40mm Single Shot Launcher	1425, expandable stock, green	2018	32	\$799
Defense Technology	40mm Single Shot Launcher	1327, fixed stock, black	2014	1	\$995
AMTEC (ALS)	40mm Single Shot Launcher	ALSTAC-40, expandable stock, black	2015	1	\$750

Description and Equipment Capabilities: An impact launcher capable of firing an array of less lethal 40mm rounds. This is used to limit the escalation of conflict by the use of less lethal options in conjunction with de-escalation tactics when feasible. The 40mm launcher is exclusively used as a less lethal force option for both kinetic energy projectiles and chemical agents. 40mm less lethal launchers have an effect range of up to 20 yards.

The 40mm less lethal launcher may be deployed to gain compliance or de-escalate conflicts to help prevent a situation from becoming a lethal force situation. The system’s effectiveness provides time and distance between officers and a suspect, reducing the immediacy of the threat and allows opportunity for further de-escalation. This system can be used to address self-destructive/suicidal, dangerous, and/or combative individuals; to gain a tactical advantage from a distance (i.e., breaking a window to get an unobstructed view of an individual or disabling a security camera); against potentially vicious animals; and for riot/crowd control and/or civil unrest incidents where the use of the 40mm is objectively reasonable.

Authorized Use | Purpose: In order to control subject(s) who are violent or who demonstrate the intent to be violent, The East Bay Regional Park District Police Department authorizes officers to use Control Devices in accordance with policy to limit the escalation of conflict by the use of less lethal options in conjunction with de-escalation tactics when feasible.

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

Kinetic energy projectiles when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

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

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

Applicable Policies for Authorized Use: Applicable department policies include 300 Use of Force, 308 Control Devices and Techniques, and 309 Conducted Energy Device.

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

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or SWAT / HNT Commander may authorize the delivery and use of tear gas.


Oleoresin Capsicum (OC) may be used on a person or group of people who are engaging in, or about to engage in violent behavior. OC should not be used against people or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

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

Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor. All training and proficiency for control devices will be documented in the officer's training file.

Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided with remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

Current Inventory of 40mm Projectiles

Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	Def Tec	6325* *Duty munition	Sponge Round	108	\$32.00	The eXact iMpack™ 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round used in the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant. Used for Crowd Control, Patrol, and Tactical Applications.

2024 REPORTING REQUIREMENTS – CATEGORY 14

Authorized Usage: All items are non-service munitions, training use, with the exception of Defense Technology 6325 Sponge Rounds, which is reoccurring usage as duty munition, less lethal – kinetic impact munition.

Fiscal Cost in 2024: Approximately \$650 per year to maintain 6325 duty munitions.

Unauthorized Usages in 2024 | Audits, Violations & Actions Taken in Response: There have been zero (0) reported violations of the military equipment use policy.

Complaints/Concerns Raised: 0

REQUESTED ACQUISITIONS OF NEW MILITARY EQUIPMENT BY EAST BAY REGIONAL PARK DISTRICT POLICE DEPARTMENT

The Department is requesting items under 3 (three) of the 15 (fifteen) Categories which are detailed in the Policy. The 3 categories of requested “military equipment” are identified in the tables below:

Category 1

Item – UAVs	Manufacturer	Model	Quantity
Unmanned Aerial Vehicle	Da-Jiang Innovations (DJI)	Avata 2 (or similar)	2
Unmanned Aerial Vehicle	Da-Jiang Innovations (DJI)	Matrice 4 (or similar)	1

Category 12

Item – Flashbang	Manufacturer	Model	Quantity
Mini-bang	Combined Tactical Systems	7290m	24
Item – .68 Caliber	Manufacturer	Model	Quantity
PepperBall Live Maxx	PepperBall	.68 Live Maxx	375
PepperBall VXR Live Maxx	PepperBall	.68 VXR Live Maxx	100

Category 14

Item – Launcher	Manufacturer	Model	Quantity
Green, expandable stock	Lewis Machine Tool (LMT)	1425	8
PepperBall Carbine	PepperBall	PPC	2
Item – .68 Caliber	Manufacturer	Model	Quantity
PepperBall Glass Breakers	PepperBall	.68 Glass Breaker	100

The request for additional Unmanned Aerial Vehicles (UAV) would improve our department’s capability to search for missing/at risk people and would allow officers to clear potentially dangerous interior areas, greatly enhancing officer safety. The additional items requested would enhance our less lethal options when dealing with armed and dangerous subjects and would increase our ability to de-escalate, reducing the likelihood of using higher levels of force. The requested items are described in greater detail below:

CATEGORY 1 – Unmanned remotely piloted, powered aerial or ground vehicles

Unmanned Aerial System (UAS)

A UAS is an unmanned, remotely powered aerial system of any type that can sustain direct flight, whether remotely piloted or via pre-programing, and all the attached systems are designed for gathering information via photography, recording, or any other means.

Definitive Section: [CA Gov't Code Section 7070\(c\)\(1\)](#)

East Bay Regional Park District Police Department Policy: [605.6 USE OF UAS](#)



DJI AVATA 2 – *Will primarily be used for indoor operations, enhancing officer safety when entering buildings. The enclosed rotor guards protect the rotor blades in confined spaces and has the ability to automatically flip itself back in the takeoff position when upside down. The smaller size is ideal for indoor searching.*

Acquisition Cost: \$999, Quantity: 2

Lifespan: 7-10 years

Manufacturer Description: The DJI Avata 2 is a compact and versatile FPV (first-person view) drone designed for immersive flying experiences. It features a 4K camera capable of capturing high-quality video at 60fps, along with advanced stabilization to ensure smooth footage even in challenging environments. The drone boasts a durable design with propeller guards, making it more beginner-friendly and resilient to crashes. With a top speed of 60 mph and a flight time of up to 18 minutes, the Avata 2 offers an exciting mix of performance and reliability. Its compatibility with DJI's FPV Goggles 2 allows for an enhanced immersive flying experience, and it also supports intuitive controls with the DJI Motion Controller, ideal for users looking for an intuitive and thrilling aerial adventure

Description, Purpose and Capabilities: Equipped with DJI's latest stabilization algorithm, Avata 2 captures smooth, steady footage even when flying at high speeds or in windy conditions. HorizonSteady handles horizontal rotations up to 360°, ensuring the captured footage remains locked on the horizon even if the drone turns sharply or sways dramatically.



DJI MATRICE 4 – *This will be used for prolonged search and rescue operations day or night. It will provide longer flight times and the ability to deliver payloads (i.e. life jackets). The camera system adds a laser range finder to accurately pinpoint a subjects location using GPS coordinates. The updated software has the ability to identify people and vehicles on the controller screen.*

Acquisition Cost: \$8,489, Quantity: 1

Lifespan: 7-10 years

Manufacturer Description: The Matrice 4 series has six high-definition low-light fisheye vision sensors, significantly enhancing visual low-light positioning and obstacle avoidance capabilities. This allows for automatic obstacle avoidance, intelligent rerouting, and safe return in urban low-light environments.

Description, Purpose and Capabilities: The DJI Matrice 4 can serve various industries, from emergency response and public safety to energy management. The infrared thermal camera supports High-Res Mode up to 1280x1024 pixels. the NIR Auxiliary Light can illuminate distances 100 meters away, and the Laser Range Finder can take measurements from 1,800 meters away. Other notable lenses include a 24mm wide-angle lens (1/1.3 CMOS, 48MP, f/1.7) and an IR-Cut Filter, ensuring clear visuals day and night.

Authorized Use:

- Post-incident crime scene preservation and documentation
- HAZMAT response
- Locating individuals actively fleeing or hiding in an attempt to avoid apprehension by law enforcement
- Search and rescue
- Barricaded suspects and other high-risk tactical operations
- Locating individuals who are missing or a danger to themselves or others
- Disaster response (Flood, earthquakes, etc.)
- Training missions
- Fire prevention and fire response
- Pursuant to a search warrant
- Any situation where the use of a UAS would enhance public safety and/or officer safety and would be deemed lawful and reasonable

A UAS shall not be flown over crowds or Beyond Visual Line of Sight (BVLOS) without FAA approval. Approval that permits use over crowds and BVLOS must be obtained before such use is begun. This approval may be covered under the Department granted COA or FAA Part 107 Waivers with the exemption granted in writing. Any exemption granted does not expire and is continual once received and does not need to be sought unless the COA or Certificate of Waiver is up for renewal or modification.

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

Training: Only Part 107 Licensed Department UAV Operators will be permitted to deploy a UAS during a non-training event. The Pilot in Charge will ensure that a Flight Risk Assessment and a Preflight Checklist (as these terms are defined by the FAA) are both completed prior to UAS utilization. The Flight Risk Assessment and the Preflight Checklist will be retained for all utilizations not related to training. The Pilot in Charge shall notify dispatch of the UAS utilization and dispatch shall document the utilization in the supplement portion of the associated CAD event. Preflight notifications to local air traffic control facilities may be required as directed by FAA regulations.

Legal and Procedural Rules: The Department will only deploy the UAV for official law enforcement purposes or approved missions pursuant to applicable Federal & State laws, EBRPD Police Department's UAV Policy 605.6, and in a manner that respects the privacy of our community.

Prohibited Use (Policy 605.7): Pursuant to the East Bay Regional Park District Police and Fire Division, UAS shall not be used:

- To conduct random surveillance activities
- To target a person or group based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability
- To harass, intimidate, or discriminate against any individual or group
- To conduct personal business of any type
- In a reckless or negligent manner
- By an Operator under the influence of alcohol, or any narcotic or prescription medication that alters or effects the operator's ability to safely operate the UAS or causes impairment as outlined by the FAA
- The UAS shall not be weaponized




Category 12 – Light/Sound Diversionary Devices, Pepperballs

Light/sound diversionary devices and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray

Equipment Types: Light/Sound Diversionary Devices | Pepper Balls

Definitive Section: [CA Gov’t Code Section 7070\(c\)\(12\)](#)

Manufacturer Descriptions below:

Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	Combined Tactical Solutions (CTS)	7290m	Mini-bang	24	\$1,483	The CTS 7290M Mini light/sound diversionary device weighs in at just 15 ounces and emits 180db output of sound and produces 6-8 million candela of light. Shelf-life of 5 years.
Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	PepperBall	Pepperball Live Maxx	Pepperball	375	\$2,750	PepperBall® LIVE-MAXX™ is formulated with MAXSAICIN™, a new proprietary process that produces powder with more airborne PAVA. Shelf-life of 3 years.
Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	PepperBall	PepperBall VXR Live Maxx	Pepperball	100	\$936	The VXR™ LIVE-MAXX™ offers greater distance and accuracy when compared to a standard round ball projectile. Use for direct impact, area saturation and crowd control situations. Shelf-life of 3 years.

Description & Equipment Capabilities: Light/sound diversionary devices emit bright light and loud sound. These devices are used to distract and disorient subjects who are armed and/or potentially violent so they can be safely taken into custody. The proper use of light/sound diversionary devices can greatly reduce the risk of injury to the public and officers.

Pepper balls are small projectiles filled with a powder made from oleoresin capsicum (OC), the active ingredient in pepper spray. They are fired from a paintball-style gun. When the PepperBall hits a target, it bursts open, releasing a cloud of the irritating powder. The OC causes a burning sensation in the eyes, throat and skin, temporarily incapacitating the person and causing intense discomfort. The ability to use OC at a distance provides a significant advantage for incapacitating a person who is potentially violent.

The ability to use these options can limit the escalation of conflict and are consistent with the goal of protection of life and property and/or restoration of order.

Authorized Use | Legal and Procedural Rules: Applicable department policies include but are not limited to 300 Use of Force, 308.10 Light/Sound Diversionary Devices, 308.7 Oleoresin Capsicum (OC) Guidelines, 308.7.2 Pepper Projectile Systems.

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

Generally, the option to deploy chemical irritants and/or light/sound diversionary devices will be exercised after a suspect has been given numerous opportunities to surrender, the Watch Commander or Incident Commander is satisfied that negotiations have been exhausted, and that further communication with the suspect will not result in the suspect's surrender.

In using chemical irritants, the intent is to make the suspect's environment so uncomfortable that he/she seeks to exit the structure or vehicle and is taken into custody by an arrest team. It is never the intent of the EBRPD Police Department to injure or punish the suspect by using these devices. The suspect's failure to surrender has created the need for this option.

308.7 OLEORESIN CAPSICUM (OC) GUIDELINES

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

308.7.2 PEPPER PROJECTILE SYSTEMS

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

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

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report

form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

308.7.3 TREATMENT FOR OC SPRAY EXPOSURE

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

308.8 POST-APPLICATION NOTICE

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

308.10 LIGHT/SOUND DIVERSIONARY DEVICES

Description and Equipment Capabilities: Generally, light/sound diversionary devices may be considered whenever the use of a diversion would help facilitate entry, enabling arrest and potentially reducing the risk of injury. Circumstances for the use of light/sound diversionary devices shall include, but are not limited to:

1. Barricaded suspect and/or hostage situations
2. High-Risk warrant services
3. To distract a violent person, mentally deranged persons or persons believed to be under the influence of alcohol/drugs and necessary to facilitate apprehension
4. When the Watch Commander, Incident Commander, or designee deems their use necessary to safely resolve an incident

Authorized Use: Prior to deploying light/sound diversionary devices, the Watch Commander, Incident Commander, or designee personnel shall consider all available intelligence information and circumstances (i.e., presence of small children or elderly persons, etc.). Circumstances may dictate that deployment of the device inside the objective is not an option. In these circumstances deployment will occur outside of the objective.

In all cases, light/sound diversionary devices shall be deployed in an area visible to the deploying officer. The deploying officer will not throw the device at anyone.

Due to the fact light/sound diversionary devices have the potential to ignite flammable materials, a portable fire extinguisher shall be readily accessible whenever these devices are deployed. In any situation a light/sound diversionary device is deployed, all members in the area shall wear gloves and eye protection. Devices shall be carried securely in a pouch/carrier with a retention strap or flap.

Generally, these devices will not be used solely for the preservation of evidence. The Watch Commander, Incident Commander, or designee shall review the use of light/sound diversionary devices, as soon as practical, following each incident or operation to ensure the devices were used

according to policy and that the devices functioned properly. All information obtained shall be used for statistical and training purposes.

Only personnel who have successfully completed departmentally approved training in the proper use and deployment of light/sound diversionary devices shall be certified/authorized to carry/deploy light/sound diversionary devices during actual operations. Except in emergencies (i.e., life-threatening situations), light/sound diversionary devices shall not be used without prior authorization of the Watch Commander or Incident Commander. Applicable department policies include but are not limited to Use of Force.

Training Requirements for Control Devices (308.11)

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

Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

All training and proficiency for control devices will be documented in the officer's training file.

Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided with remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.




Category 14 – Launchers, Specialty Impact Munitions

The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons

Equipment Type: PepperBall Patrol Carbine

Definitive Section: [CA Gov’t Code Section 7070\(c\)\(14\)](#)

Manufacturer Descriptions below:

Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	Pepper Ball	PepperBall Patrol Carbine (PPC)	Specialty Impact Munition Launcher	8	\$10,320	Lightweight and portable, the PPC is designed to give patrol officers an easy to operate non-lethal option. The PPC stores easily in a trunk or hatch, has two air source options and uses genuine PepperBall .68 caliber round or VXR™ projectiles.
Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	LMT	1425	40mm Single Shot Launcher	8	\$799	An impact launcher capable of firing an array of less lethal 40mm rounds.
Photo	Mfg.	Model	Type	Qty	Cost	Description/Capabilities
	Pepper ball	Glass breaker round	.68	100	\$321	A solid polymer projectile used for breaking out windows and side-glass of automobiles. Not for use on humans or animals. Shelf-life of 3 years.

Description and Equipment Capabilities:

PepperBall Patrol Carbine: A PepperBall Patrol Carbine (PPC) is a semi-automatic, non-lethal launcher designed for law enforcement use, featuring a lightweight construction, a 10-round magazine capacity, and a smooth bore barrel, allowing officers to fire PepperBall projectiles at a longer range with ease and accuracy, often used for crowd control situations; it is considered a versatile option due to its ability to mount accessories on its M-Lok handguard and Picatinny rail for added functionality.

Glassbreaker Rounds: These are small polymer projectiles that can be utilized to break open windows from a distance. They are not for use on humans or animals. These can be used for potentially dangerous subjects that are barricaded inside a vehicle and refusing to exit. It allows

officers to breach open the windows from a distance, which is far safer. Once windows are breached, the PepperBall carbine can be used to introduce OC inside the vehicle from a distance.

40 mm Less Lethal Launcher: An impact launcher capable of firing an array of less lethal 40mm rounds. This is used to limit the escalation of conflict by the use of less lethal options in conjunction with de-escalation tactics when feasible. The 40mm launcher is exclusively used as a less lethal force option for both kinetic energy projectiles and chemical agents. 40mm less lethal launchers have an effect range of up to 20 yards. Note: the Department already owns and utilizes 32 of these launchers. We are requesting to purchase 8 more, so each of our vehicles can be outfitted with its own launcher.

Authorized Use | Legal and Procedural Rules: In order to control subject(s) who are violent or who demonstrate the intent to be violent, The East Bay Regional Park District Police Department authorizes officers to use Control Devices in accordance with policy to limit the escalation of conflict by the use of less lethal options in conjunction with de-escalation tactics when feasible.

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

Applicable Policies for Authorized Use: Applicable department policies include 300 Use of Force and 308 Control Devices and Techniques.

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

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

Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor. All training and proficiency for control devices will be documented in the officer's training file.

Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided with remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

Projected Acquisitions

Although most acquisitions can be anticipated, the unanticipated replacement or upgrade of existing military equipment may be necessary due to use, loss, or damage. Replacement and/or replenishment of these items will be handled on a case-by-case basis, dependent on operational need and in compliance with department policy for acquisition of military equipment.

Consumable Military Equipment Projected Acquisitions

Projected consumable military equipment acquisitions should be in line with current replenishment schedules and quantities for consumables. A variety of commercial factors (i.e., supply and demand, inflation, supply chain issues etc.) may influence the fiscal impact of future military equipment acquisitions and ongoing military equipment purchases throughout the year. The replenishment schedules for military equipment consumables can vary and are dictated by inventory levels that fluctuate as a result of training, operational usage, or manufacturer recommended replacement guidelines. Categories of consumable military equipment are listed below:

- Ammunition – all calibers
- Specialty Munitions

Funding for the majority consumable military equipment during 2025 and 2026 should be secured via the General Fund.

Non-consumable Military Equipment Projected Acquisitions

Any unanticipated replacements of existing non-consumable military equipment for 2026 will be initiated on a case-by-case basis that is dependent on operational need, operational wear, or end of serviceable lifespan.

Conclusion

The equipment, resources, and training outlined in this report allows the East Bay Regional Park District Police Department to protect our community by enhancing public and officer safety. The use of military equipment aids us in resolving critical incidents safely and effectively. Although military equipment is utilized infrequently, it is crucial that the equipment be readily available in rapidly evolving and dynamic situations where such equipment can be used to effectively respond to threats of public safety.

When deciding how military equipment is funded, acquired, or used, EBRPD Police Department considers the public's welfare, safety, and civil liberties. This annual military equipment report reaffirms the department's commitment to providing transparency and information to our communities and elected officials in addition to ensuring compliance with the law.

The Department values the public's input in using military equipment (as defined in AB 481) in our community. Inquires, comments, or concerns can be submitted to the Department's designated Military Equipment Coordinator (Support Services Captain) via the Park Watch webform at [Park Watch Report Form | East Bay Parks \(ebparks.org\)](#). Inquiries, complaints, or concerns may also be submitted through our Internal Affairs Department process. Information and forms are available on the Department's website at [Internal Affairs | East Bay Parks \(ebparks.org\)](#), or you may contact us directly at Police Headquarters.

Attachment: Addendum A, Military Equipment Policy 709

Military Equipment

709.1 PURPOSE AND SCOPE

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

709.1.1 DEFINITIONS

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

Governing body – The elected or appointed body that oversees the East Bay Regional Park District.

Military Equipment Categories – Includes but is not limited to the following:

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
3. High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
4. Tracked armored vehicles that provide ballistic protection to their occupants.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
8. Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
9. 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.
10. Any firearm or firearm accessory that is designed to launch explosive projectiles.
11. Noise-flash diversionary devices and explosive breaching tools.
12. Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
13. TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
14. Kinetic energy weapons and munitions.
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.

East Bay Regional Park District Police Department

Military Equipment

709.2 POLICY

It is the policy of the East Bay Regional Park District Police Department that members of this department comply with the provisions of Government Code §7071 with respect to military equipment.

709.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- Acting as liaison to the governing body for matters related to the requirements of this policy.
- 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.
- Conducting an inventory of all military equipment at least annually.
- Collaborating with any allied agency that may use military equipment within the jurisdiction of East Bay Regional Park District Police Department (Government Code §7071).
- Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - Publicizing the details of the meeting.
 - Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code §7072).
- Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

709.4 MILITARY EQUIPMENT INVENTORY

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

Included on pages 9-10 in this Annual Report. Also available on our [website](#).

709.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code §7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code §7071):

East Bay Regional Park District Police Department

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.

709.6 COORDINATION WITH OTHER JURISDICTIONS

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

709.7 USE IN EXIGENT CIRCUMSTANCES

In exigent circumstances and with the approval of the Chief of Police or designee, the department may acquire, borrow and/or use military equipment that is not included in the military equipment inventory section of this policy.

In accordance with this section, if the department acquires, borrows, and/or uses military equipment in exigent circumstances, it must take all of the following actions.

- Provide written notice of the acquisition or use to the EBRPD Board of Directors within 30 days following commencement of such exigent circumstance, unless such information is confidential or privileged under local, state or federal law.
- If it is anticipated that the use will continue beyond the exigent circumstance, submit a proposed amended military equipment policy to the EBRPD Board of Directors within 90 days following the borrowing, acquisition and/or use, and receive approval for continued use.
- Include the equipment in the department's next annual military equipment report.

709.8 ANNUAL REPORT

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

East Bay Regional Park District Police Department

Military Equipment

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code §7072 for the preceding calendar year for each type of military equipment in the department's inventory.

709.9 COMMUNITY ENGAGEMENT

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

709.10 APPLICABLE DATES

April 15, 2024	Community Meeting Announced to the Public
April 15, 2024	AB 481 Annual Report Released to Public for Review
April 15, 2024	Policy 709 Released to Public for Review
May 15, 2024	Community Meeting held Noon – 1 p.m. at EBRPD Police Headquarters
May 21, 2024	Policy Presented to Park District Board of Directors
June 18, 2024	Policy Adopted

THANK YOU FOR YOUR SUPPORT



ADDRESS

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WEBSITE

www.ebparks.org/public-safety



PHONE

(510) 881-1833



East Bay 
Regional Park District