

Military Equipment

706.1 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).

706.1.1 DEFINITIONS

Definitions related to this policy include

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

Military equipment – means equipment that is "militaristic in nature" and is identified in Government Code Section 7071 (c) (1 - 15)

706.2 POLICY

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

706.3 MILITARY EQUIPMENT COORDINATOR

The Operations Division Captain or his designee will 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 annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Menifee Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

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706.4 MILITARY EQUIPMENT INVENTORY

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

See attachment: AB481 Military Equipment List.pdf

706.5 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 prohibitions outlined in Government Code § 7071:

706.6 COORDINATION WITH OTHER JURISDICTIONS

The Menifee Police Department provides law enforcement services to the City of Menifee as well as providing mutual aid county wide.

Through the Association Riverside County Chiefs of Police and Sheriff's (ARCCOPS) mutual aid agreement, all cities within Riverside County have agreed to accept the use of each law enforcement agencies Military Equipment policy related to any enforcement action throughout Riverside County.

The Menifee Police Department also works in conjunction with the Murrieta and Hemet Police Departments to provide Special Weapons and Tactics services (S.W.A.T.) to the city of Menifee. This is done under the guidance of an approved and consolidated Memorandum of Understanding between the three cities.

706.7 USE IN EXIGENT CIRCUMSTANCES

In exigent circumstances and with the approval of the Chief of Police or his/her designee, the Police Department may acquire, borrow and/or use Military Equipment, from a neighboring law enforcement entity, that is not included in the Military Equipment Use Policy.

If the Police Department acquires, borrows, and/or uses Military Equipment in exigent circumstances, in accordance with this section, it must take all of the following actions:

- Provide written notice of that acquisition or use to the City Council within 30 days following the 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 Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
- Include the Military Equipment in the Police Department's next annual Military Equipment Report.

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706.8 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).

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 department inventory.

706.9 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.