

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MOUNTAIN VIEW  
ADOPTING A MILITARY EQUIPMENT USE POLICY GOVERNING THE FUNDING, ACQUISITION  
AND USE OF MILITARY EQUIPMENT BY THE MOUNTAIN VIEW POLICE DEPARTMENT  
PURSUANT TO CALIFORNIA ASSEMBLY BILL 481 AND FINDING THAT THIS ACTION IS NOT  
SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (“AB 481”), codified in Government Code Section 7070 *et seq.*, relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, the purpose of AB 481 is to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how “military equipment”, as that term is defined by California Government Code section 7070(c), is funded, acquired, or used by law enforcement agencies; and

WHEREAS, AB 481 requires law enforcement agencies seeking to fund, acquire or use military equipment to obtain approval from the governing body by an ordinance adopting a military equipment use policy prior to funding, acquiring or using any military equipment; and

WHEREAS, AB 481 requires the governing body to review any ordinance that it has adopted approving the funding, acquisition, or use of military equipment at least annually and vote on whether to renew the ordinance at a regular meeting; and

WHEREAS, the Mountain View Police Department is in possession of equipment that qualifies as military equipment under AB 481 and is, therefore, required to comply with AB 481’s policy adoption and renewal requirements; and

WHEREAS, on May 10, 2022, the City of Mountain View adopted Mountain View Police Department Policy 709 - Military Equipment (“Policy 709”) and enacted Section 2.69.3 of the Mountain View City Code approving the funding, acquisition, and use of military equipment by the Mountain View Police Department; and

WHEREAS, AB 481 requires a law enforcement agency that receives approval for a military equipment use policy to submit an annual military equipment report to the governing body within one year of approval and annually thereafter for as long as the military equipment is available for use; and

WHEREAS, on April 19, 2024, the Mountain View Police Department submitted an annual report, which included the required information regarding the quantity, use, acquisition, cost, complaints, and policy violations concerning the military equipment to the City Council and

posted it on its website in accordance with Government Code Section 7072 (“2023 Annual Report”); and

WHEREAS, based on its review of the 2023 Annual Report, the City Council determined that each type of military equipment identified in the 2023 Annual Report has complied with Government Code Section 7071(d) in that (1) the identified 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 policy will safeguard the public’s welfare, safety, civil rights, and civil liberties; (3) the proposed equipment to be purchased is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and (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 accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance; and

WHEREAS, on April 19, 2024, the Mountain View Police Department also submitted an updated Policy 709, which requires adoption by ordinance under Government Code Section 7071(a); and

WHEREAS, City Staff recommends that City Council make the requisite findings and adopt the updated Policy 709; now, therefore,

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. Findings and Declarations.** The City Council hereby finds and declares as follows:

- a. The Mountain View Police Department submitted to City Council and posted on its website its updated Mountain View Police Department Policy 709 – Military Equipment, which is attached hereto and incorporated herein as **Exhibit A**.
- b. The military equipment described therein is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- c. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- d. The equipment described therein is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- e. The police department’s 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 military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

**SECTION 3. Approval.** The City Council hereby approves Mountain View Police Department Policy 709 – Military Equipment, attached hereto and incorporated herein as **Exhibit A**.

**SECTION 4. CEQA.** Pursuant to California Code of Regulations section 15060(c)(2), this action is not subject to the California Environmental Quality Act (“CEQA”) because it will not result in a direct or a reasonably foreseeable indirect physical change in the environment.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

**SECTION 6. Publication.** Pursuant to Mountain View City Charter section 522, at least two (2) days prior to final adoption of this ordinance, the City Clerk shall post the ordinance in three (3) prominent places in the City and publish in the City’s official newspaper notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the ordinance are posted.

**SECTION 7. Effective Date.** Pursuant to Mountain View City Charter section 519, this ordinance shall become effective thirty (30) days after the date of its adoption.

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## 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 Department.

**California Government Code Defined Military Equipment Categories** – 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.

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### **709.2 POLICY**

It is the policy of the Mountain View Police Department (MVPD or 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 Police Chief should designate a member of this Department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include, but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying Department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Mountain View 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 Police Chief 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.

### **709.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department.  
See attachment: 709.4 Military Equipment Inventory.pdf

### **709.5 APPROVAL**

The Police Chief 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 Police Chief 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):

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- (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 used by other law enforcement agencies that are providing mutual aid to this jurisdiction or otherwise engaged in law enforcement operations within this jurisdiction shall comply with their respective military equipment policies in rendering mutual aid.

### **709.7 ANNUAL REPORT**

Upon approval of a military equipment policy, the Police Chief 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 Police Chief 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.

### **709.8 COMMUNITY ENGAGEMENT**

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

Pursuant to California Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions about the use of each specific type of listed equipment in this policy by any of the following means:

- (a) Via email to: [PSU@mountainview.gov](mailto:PSU@mountainview.gov).

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- (b) Via phone call to: 650-903-6728.
- (c) Via mail sent to:  
Mountain View Police Department  
Attn: Professional Standards Unit  
1000 Villa Street  
Mountain View, CA 94041

The Mountain View Police Department is committed to responding to complaints, concerns, and/or questions received through any of the above methods in a timely manner.

## **Attachments**

**709.4 MILITARY EQUIPMENT INVENTORY.pdf**

Categories of Military Equipment (Government Code § 7070(c))

**\*Categories in bold contain items in MVPD's inventory**

- 1) **Unmanned, remotely piloted, powered aerial or ground vehicles.**
- 2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- 3) High-mobility multi-purpose 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.
- 4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- 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. However, items that are 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.**
- 8) **Firearms of .50 caliber or greater. However, standard-issue shotguns are specifically excluded from this subdivision.**
- 9) **Ammunition of .50 caliber or greater. However, standard-issue shotgun ammunition is specifically excluded from this subdivision.**
- 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.**
- 11) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- 12) **"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.**
- 13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).
- 14) **The following projectile launch platforms and their associated munitions: 40 mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.**
- 15) Any other equipment as determined by a governing body or a State agency to require additional oversight.

## Military Equipment Inventory

### **Category 1: Unmanned, Remotely Piloted, Powered Aerial or Ground Vehicles**

Equipment Name: Mavic 2 Enterprise Dual with Forward Looking Infrared (FLIR) UAS (Unmanned Aerial System)

Purchase Cost: The initial cost of equipment, licensing, software, training: approximately \$12,000

Quantity Owned: 2

Acquired: May 2020

Lifespan: Approximately 5 years

Equipment Capabilities: Remotely piloted aerial vehicles capable of providing live and recorded video images captured from aerial positions, including images enhanced by FLIR and optical zoom lenses.

Manufacturer Product Description:

DJI Mavic 2 Enterprise Dual with FLIR UAS System is a business-level, foldable, portable, long-range flying camera and accessory system that adapts well to uses by first responders and businesses that routinely inspect hard-to-reach assets. The four motors system allows the craft to fly for up to 31 minutes on a single battery. The craft has a top speed of 44 MPH, making it ideal for tracking operations or flights over large areas. This is not a military-grade item and weighs less than two pounds.

Purpose/Authorized Uses: UAS/Drones may be used to enhance the MVPD'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 (e.g., missing person); critical incidents (e.g., barricaded, hostage, and active shooter); bomb investigation; traffic accident reconstruction; crime scene reconstruction; and "hot pursuits" of suspects.

The system allows officers to safely respond to incidents and view potentially dangerous situations in a safe manner. In addition, the UAS Systems can be used to assist other City departments with tasks such as fire suppression efforts and City Building roof inspections. Additional requirements are listed in the Unmanned Aerial System Operations Policy 613.

Fiscal Impact: Ongoing costs associated with UAS operation is estimated to be approximately \$12,000 per year. Some minor maintenance of the systems is performed by in-house staff at no additional cost.

Legal/Procedural Rules Governing Use: Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations. In addition, City Council Policy K-23, Use of Unmanned Aircraft Systems, regulates the use of drones by City staff.

Training Required: Prior to piloting any UAS/Drone staff members must obtain basic operator training.

Equipment Name: DJI Matrice 30T Drone with Thermal Camera

Purchase Cost: The initial cost of equipment, licensing, software, and training was approximately \$33,986.81.

Quantity Owned: 2

Acquired: 2023

Lifespan: Approximately 5 years

Equipment Capabilities: Remotely piloted aerial vehicles capable of providing live and recorded video images captured from aerial positions, including images enhanced by FLIR and optical zoom lenses.

Manufacturer Product Description:

DJI Matrice 30T Drone with Thermal Camera UAS System is a business-level, foldable, portable, long-range flying camera and accessory system that adapts well to uses by first responders and businesses that routinely inspect hard-to-reach assets. The four motors system allows the craft to fly for up to 45 minutes on a single battery. The craft has a top speed of 33.5 MPH, making it ideal for tracking operations or fights over large areas. This is not a military-grade item and weighs 2.028 pounds.

Purpose/Authorized Uses: UAS/Drones may be used to enhance the MVPD'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 (e.g., missing person); critical incidents (e.g., barricaded, hostage, and active shooter); bomb investigation; traffic accident reconstruction; crime scene reconstruction; and "hot pursuits" of suspects. These UAS also supported the Public Works Department by documenting work at city hall. They enhance officer safety by enabling remote observation of potentially dangerous situations and are versatile in applications ranging from crime scene documentation, suspect searches, missing persons searches, inter-agency assistance, to tasks like fire suppression, building inspections, and general photography. Additional requirements are listed in the Unmanned Aerial System Operations Policy 613.

Fiscal Impact: Ongoing costs associated with UAS operation is estimated to be approximately \$15,000 per year. Some minor maintenance of the systems is performed by in-house staff at no additional cost.

Legal/Procedural Rules Governing Use: Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations. In addition, City Council Policy K-23, Use of Unmanned Aircraft Systems, regulates the use of drones by City staff.

Training Required: Prior to piloting any UAS/Drone staff members must obtain basic operator training.

Equipment Name: Loki MK2 EU Drones

Purchase Cost: The initial cost of equipment, licensing, software, and training was approximately \$13,693.80.

Quantity Owned: 2

Acquired: 2023

Lifespan: Approximately 5 years

Equipment Capabilities: Remotely piloted aerial vehicles capable of providing live and recorded video images

captured from aerial positions, including images enhanced by FLIR and optical zoom lenses.

**Manufacturer Product Description:**

The Loki MkII is fully purpose-built for close-quarter, under-roof, tactical scouting operations. Operating in congested and dark environments, its purpose is to place a microphone and camera practically anywhere to collect critical life-saving intelligence of immediate threats ahead of a team. It enables reliable and rapid situational awareness for precise decision-making while maximizing the team's safety. The four motors system allows the craft to fly for up to 15 minutes on a single battery. The craft has a top speed of 22.37 MPH, making it ideal for rapid deployments in close quarter, under roof or tactical intelligence gathering operations. This is not a military-grade item and weighs less than one pound (without battery).

**Purpose/Authorized Uses:** UAS/Drones may be used to enhance the MVPD'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 (e.g., missing person); critical incidents (e.g., barricaded, hostage, and active shooter); bomb investigation; traffic accident reconstruction; crime scene reconstruction; and "hot pursuits" of suspects. They enhance officer safety by enabling remote observation of potentially dangerous situations and are versatile in applications ranging from crime scene documentation, suspect searches, missing persons searches, inter-agency assistance, to tasks like fire suppression, building inspections, and general photography. Additional requirements are listed in the Unmanned Aerial System Operations Policy 613. Their primary use is for suspect searches within buildings.

**Fiscal Impact:** Ongoing costs associated with UAS operation is estimated to be approximately \$5,000 per year. Some minor maintenance of the systems is performed by in-house staff at no additional cost.

**Legal/Procedural Rules Governing Use:** Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations. In addition, City Council Policy K-23, Use of Unmanned Aircraft Systems, regulates the use of drones by City staff.

**Training Required:** Prior to piloting any UAS/Drone staff members must obtain basic operator training.

**Equipment Name:** DJI Mavic 3T Wide/zoom/thermal camera UAS

**Purchase Cost:** The initial cost of equipment, licensing, software, and training was approximately \$6,157.00.

**Quantity Owned:**1

**Acquired:** 2023

**Lifespan:** Approximately 5 years

**Equipment Capabilities:** They serve various purposes, including documenting crime scenes, suspect and missing person searches, inter-agency support, and tasks like fire suppression, building inspections, or aerial photography.

**Manufacturer Product Description:**

The Mavic 3 Enterprise Series redefines industry standards for small commercial drones. With a mechanical shutter, a 56x zoom camera, and an RTK module for centimeter level precision, the Mavic 3T brings mapping and mission efficiency to new heights. The thermal vision is used for search and rescue, inspections and night operations.

**Purpose/Authorized Uses:** UAS/Drones may be used to enhance the MVPD'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 (e.g., missing person); critical incidents (e.g., barricaded, hostage, and active shooter); bomb investigation; traffic accident reconstruction; crime scene reconstruction; and "hot pursuits" of suspects. They enhance officer safety by enabling remote observation of potentially dangerous situations and are versatile in applications ranging from crime scene documentation, suspect searches, missing persons searches, inter-agency assistance, to tasks like fire suppression, building inspections, and general photography. Additional requirements are listed in the Unmanned Aerial System Operations Policy 613. Their primary use is for suspect searches within buildings.

**Fiscal Impact:** Ongoing costs associated with UAS operation is estimated to be approximately \$5,000 per year. Some minor maintenance of the systems is performed by in-house staff at no additional cost.

**Legal/Procedural Rules Governing Use:** Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations. In addition, City Council Policy K-23, Use of Unmanned Aircraft Systems, regulates the use of drones by City staff.

**Training Required:** Prior to piloting any UAS/Drone staff members must obtain basic operator training.

**Equipment Name:** Robotex Avatar Robot Purchase

**Cost:** \$20,000

**Acquired:** 2003

**Lifespan:** 10 to 15 years

**Quantity Owned:** 1

**Equipment Capabilities:** This equipment is a battery-powered, remote-operated device equipped with two cameras and two-way radio capabilities. This equipment is for use during high-risk incidents. Use is limited to members of the Department SWAT Team. Incidents that may qualify for its use include but are not limited to, a high-risk warrant service, barricaded subject, and hostage negotiation/rescue. Before entering a structure, particularly in a dangerous situation, knowledge of a subject's location is very important, and the robot can provide that without placing anyone at risk. Cameras can also help determine if a subject is armed and if there are any other people inside who need assistance. The two-way speakers can be used to communicate with anyone inside a location.

Purpose/Authorized Uses: To be used to gain visual/audio information from a safe distance. This makes the situation safer for both the subject and officers and helps accomplish tasks, such as clearing buildings in a way that reduces the safety risk to both Officers and the community. Only assigned operators who have completed the required training are permitted to operate the robot.

Fiscal Impact: No known annual maintenance cost.

Legal/Procedural Rules Governing Use: Any use of the robot is established by the Incident Commander. All other applicable MVPD policies remain in effect, to include, but are not limited to, MVPD Policy 322, Search and Seizure.

Training Required: Prior to operating the robot, an operator must complete in-house operator training.

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**Category 5: Command and Control Vehicles that are either built or modified to facilitate the operational control and direction of public safety units**

Equipment Name: MVPD Mobile Command Vehicle

Cost: \$536,000

Quantity Owned: 1

Acquired: 2016

Lifespan: Approximately 12 years

Equipment Capabilities: MVPD's Mobile Command Vehicle is similar to a large recreational vehicle which is set up with multiple desk and meeting areas. It can be driven to most locations within the City of Mountain View and used as a command post to help organize and manage emergency situations.

Manufacturer Product Description: Freightliner MT55, 26,000 lb GVWR with air-ride suspension. Features include:

- Custom fabricated bench seating;
- LDV Intel-I-Touch™ power and data electronics system to control strategic onboard systems;
- 65" interactive display and multiple LED TVs and monitors throughout;
- Weatherproof exterior access door to view LCD monitor;
- Digital HDTV antenna, audio video switching system;
- Mast and camera system; and
- Radio, CAT6 computer network cable, cellular modem.

Fiscal Impacts: The initial cost of vehicle and equipment was approximately \$500,000 in 2016. Maintenance of the systems is performed by the City's Fleet Service. Annual costs are estimated to be \$10,000.

Purpose/Authorized Uses: Mobile command vehicles support the management of incidents and planned events by providing interior and/or exterior workspaces and command and control capabilities to the Incident Commander on-scene or at remote locations.

Legal/Procedural Rules Governing Use: Use of the Mobile Command Vehicle is governed by local and State laws. Mobile Command Vehicle use is consistent with rules for a Class C driver's license in the State of California.

Training Required: Two hours of training involving learning how to drive and deploy the vehicle.

Equipment Name: SWAT Truck/ Black Freightliner WALK-IN VAN

Purchase Cost: \$229,884

Quantity Owned: 1

Acquired: In fiscal year: 2015/2016 (purchase date 12/14/2015)

Lifespan: Approximately 15 years

Equipment Capabilities: MVPD's SWAT Vehicle is similar to a large vehicle/van and is set up to transport personnel, equipment and contains storage for weapons. It can be driven to most locations within the City of Mountain View and used as a command post to help organize and manage emergency situations.

Manufacturer Product Description: 2016 Freightliner MT55 forward control chassis, 26,000 lb GVWR with rear spring suspension and hydraulic brakes. Features include:

- DOT Triangle reflector kit with three (3) triangles
- Stainless Steel wheel liners with braided stainless steel valve stem extenders.
- Load space area 83" high x 93" wide x 20' long all aluminum step van body.
- Driver sedan door with slider window, door skin chemically bonded to door frame structure.
- Tinted safety plate glass windshield with driver and passenger sun visors.

- Heavy duty fluted aluminum grab handle with rubber inserts and chrome plated stanchions installed at exterior entry door location.
- Dry erase writing surface on overhead cabinet door.
- Weapons cabinet with storage for 12 M4, 8 Remington and 2 FN 303 launcher rifles. Dividers for 3 rifles cases.

Fiscal Impacts: The initial cost of vehicle and equipment was approximately \$229,884 in 2016. Maintenance of the systems is performed by the City's Fleet Service. Annual costs are estimated to be \$2,500. The maintenance cost in 2023 was \$1087.64.

Purpose/Authorized Uses: SWAT vehicles support the management of critical incidents and planned events to transport equipment, providing interior and/or exterior workspaces and command and control capabilities to the Incident Commander on-scene or at remote locations.

Legal/Procedural Rules Governing Use: Use of the SWAT Vehicle is governed by local and State laws. SWAT Vehicle use is consistent with rules for a Class C driver's license in the State of California.

Training Required: None

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## **Category 7: Battering Rams, Slugs, and Explosive Breaching Apparatuses**

### Equipment Name: Explosive Breaching Equipment

Purchase Cost: Varies; see below for individual cost per equipment type Quantity

Owned: See below for individual quantity per equipment type Acquired: See below for individual acquired dates per equipment type Lifespan: 5 years

Equipment Capabilities: The MVPD Explosive Breaching Program was started in 2002. The Program was established to provide the SWAT Team the ability to quickly create an opening in a wall or window to quickly enter a building for an emergency rescue of hostages. It is reserved for rescue operations only.

Purpose/Authorized Uses: To safely gain entry into a structure. This equipment would only be deployed during a SWAT incident, and its use would need specific authorization from the Incident Commander.

Fiscal Impact: The program is inexpensive to maintain, replacing only equipment used in training or operationally.

Legal/Procedural Rules Governing Use: Use is established under MVPD Policy 423.3. It is the policy of the MVPD to utilize diversion devices only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

Training Required: The training consists of an 80-hour course for a member of the SWAT Team specifically designated as the "breacher." At the conclusion of the course, the breacher must pass a test proctored by CAL/OSHA. The OSHA certification is valid for 5 years. Before the expiration of the certification, the breacher must retake and pass the test. The materials used for training are inexpensive. A typical training day will consist of 5 to 10 practice breaches. The material used for each breach is under \$10.

### Inventory:

Explosive breaching initiator—Activates the Nonel MS (blasting cap)

Cost: \$200. Quantity: 2. Obtained: 2002. No expiration.

Nonel MS (Blasting cap)—Starts the explosive chain

Cost: \$3.75 each. Quantity: 136. Obtained: 2002. No expiration.

Primacord (50 grains per foot)—Primary explosive.

Cost: \$695 (0.34 per foot). Quantity: 2,980 feet. Obtained: 2002. No expiration.

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**Category 8: Firearms of .50 Caliber or Greater, excluding standard-issued shotguns and standard-issued shotgun ammunition**

Equipment Name: Barrett .50 Caliber Semiautomatic Rifle

Quantity Owned: 1 Rifle and 470 rounds of ammunition.

Acquired: 2006

Lifespan: 15+ years

Equipment Capabilities: The sniper rifle can fire a .50 caliber bullet.

Manufacturer Product Description: The Barrett .50 caliber rifle is a recoil-operated, semi-automatic rifle.

Purpose/Authorized Uses: MVPD SWAT is in the process of implementing a large-caliber sniper program. The Barrett .50 caliber rifle is paired with several ammunition types to address a variety of employment uses. The Barrett .50 caliber addresses a variety of strategic and tactical needs above and beyond what the issued .308 platform can address, including, but not limited to, stopping automobiles being used as weapons, especially large or armored vehicles and those known or reasonably suspected to contain vehicle-borne improvised explosive devices (VBIEDs); defeating bank glass and other heavy glass; and neutralizing a criminal sniper firing from a protected position, such as from behind concrete block or brick or a vertical building.

Fiscal Impacts: The Barrett .50 caliber sniper rifle was seized in 2006 during a criminal investigation and now belongs to the MVPD.

Legal/Procedural Rules Governing Use: All applicable State, Federal, and local laws governing police use of force. Various MVPD Policies on use of force and firearms. This weapon and associated ammunition are not currently operational as MVPD is currently developing a specific policy around its use.

Training Required: In addition to patrol rifle and standard SWAT operator training, SWAT snipers must successfully complete a California POST-certified sniper course, a 40-hour large caliber rifle instructor course, as well as regular SWAT sniper training and qualifications as required by law and policy.

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### **Category 9: Ammunition of .50 caliber or greater**

Equipment Name: .50 BMG M33 NATO Ammunition and Hornady .50 BMG H8270 Match Ammunition

Quantity Owned: ~1000 rounds

Acquired: 2021

Lifespan: No expiration date

Equipment Capabilities and Manufacturer Product Description: The Barrett .50 caliber rifle is paired with several ammunition types to address a variety of employment uses. The Barrett .50 caliber addresses a variety of strategic and tactical needs above and beyond what the issued .308 platform can address, including, but not limited to, stopping automobiles being used as weapons, especially large or armored vehicles and those known or reasonably suspected to contain vehicle-borne improvised explosive devices (VBIEDs); defeating bank glass and other heavy glass; and neutralizing a criminal sniper firing from a protected position, such as from behind concrete block or brick or a vertical building.

Fiscal Impacts: The MVPD has purchased 750 rounds of .50 BMG M33 NATO Ammunition 624 Grain Full Metal Jacket costing \$2,679.88, and 220 rounds of Hornady .50 BMG H8270 Match Ammunition 750 Grain A-Max costing \$1,608.34. The ongoing costs for ammunition will vary, and maintenance is conducted by Department staff.

Legal/Procedural Rules Governing Use: All applicable State, Federal, and local laws governing police use of force. Various MVPD Policies on use of force and firearms. This weapon and associated ammunition are not currently operational as MVPD is currently developing a specific policy around its use.

Training Required: In addition to patrol rifle and standard SWAT operator training, SWAT snipers must successfully complete a California POST-certified sniper course, a 40-hour large caliber rifle instructor course, as well as regular SWAT sniper training and qualifications as required by law and policy.

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## **Category 10: Specialized Firearms and Ammunition of less than .50 Caliber**

Equipment Name: .308 Caliber Sniper Rifle

Cost: \$7,518

Quantity Owned: 2

Acquired: January 20, 2021

Lifespan: Approximately 15 years

Equipment Capabilities: The sniper rifle is capable of firing a .308 caliber bullet.

Manufacturer Product Description: .308/7.62 with 20" barrel, semiautomatic, magazine-fed sniper rifle.

Purpose/Authorized Uses: This rifle may only be used by a SWAT Officer trained and certified to be a sniper (MVPD currently has two such officers) and may be deployed to assist the SWAT Team in a critical incident or emergency. The main use is for observation of an incident and to be able to accurately and immediately be able to stop a threat to life.

Examples of situations for deploying the rifle may include, but are not limited to: where the Officer reasonably anticipates an armed encounter; when the Officer is faced with a situation that may require accurate and effective fire at a long distance; where an Officer reasonably expects the need to meet or exceed the firearms and ammunition that a suspect is reported or believed to possess; when an Officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage; and when an Officer reasonably believes that a suspect may be wearing body armor.

Fiscal Impact: The ongoing costs for ammunition will vary and maintenance is conducted by Department staff.

Legal/Procedural Rules Governing Use: All applicable State, Federal, and local laws governing police use of force. Various MVPD Policies on use of force and firearms.

Training Required: In addition to patrol rifle and standard SWAT operator training, SWAT snipers must successfully complete a California POST-certified sniper course as well as regular SWAT sniper training and qualifications as required by law and policy.

### Inventory:

.308 Caliber Ammunition

Cost: \$3,300. Quantity: 1900 Rounds. Obtained: 2022 (replenished to maintain stock). Lifespan: No expiration.

B-West AK-47 .762 Semi-automatic Rifle

Cost: \$500. Quantity: 1. Obtained: 2008. Lifespan: 15+ years

NOTE: This rifle is currently in storage as surplus.

M4 .223 Carbine Rifle, semi-automatic

Cost: \$18,000 Quantity: 12. Obtained: 2018. Lifespan: 15+ years

Surefire SOCOM556RC noise and recoil suppressors

Cost: \$12,000 Quantity: 12. Obtained: 2018. Lifespan: 15+ years

M4 .223 Rifle, semi and fully automatic

Cost: \$3,000. Quantity: 2. Obtained: 2000 Lifespan: 15+ years

HK MP5 suppressed 9mm submachine gun

Cost: \$2,700. Quantity: 1. Obtained: 1994 Lifespan: 15+ years

HK .308 Rifle

Cost: \$5,000. Quantity: 1. Obtained: 2010 Lifespan: 15+ years

Remington 870 Breaching Shotgun

Cost: \$800. Quantity: 1. Obtained: Prior to 1995 Lifespan: 15+ years

Steyr AUG .223 Rifle

Cost: \$2,000. Quantity: 1. Obtained: Prior to 2010 Lifespan: 15+ years

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## **Category 12: Noise Flash Diversionary Device and Chemical Munitions**

### Equipment Name: Chemical Munitions

Purchase Cost: See below for price per equipment type

Quantity Owned: 114

Acquired: November 2018

Lifespan: Approximately 5 years

Equipment Capabilities: Chemical agent munitions can be used as a nonlethal tool to disperse rioting suspects and barricaded suspects.

Purpose/Authorized Uses: Compel an individual to cease their actions when such munitions present a reasonable option; riot control to bring an objectively dangerous and unlawful situation safely and effectively under control; and deny a designated area to a suspect, force a suspect to move to a desired area, or to disorient a suspect.

Fiscal Impact: No known annual maintenance cost.

Legal/Procedural Rules Governing Use: All applicable State, Federal, and local laws governing police use of force. Various MVPD Policies on use of force and firearms.

Training Required: 40-hour chemical agent instructor course.

### Inventory:

Def-Tech 40 MM Barricade Penetrator liquid CS chemical agent munitions

Cost: Approximately \$21 each, approximately \$420 total. Obtained: 2018 Quantity: 18 rounds. Lifespan: 5+ years

CTS 5230B Baffled CS chemical agent canister munitions

Cost: \$36 dollars per round, approximately \$1,080 total. Obtained: 2018 Quantity: 26 canisters. Lifespan: 5+ years

CTS 5230 CS chemical agent canister munitions

Cost: Approximately \$26 each, approximately \$260 total. Obtained: 2018 Quantity: 10 canisters. Lifespan: 5+ years

CTS 5231 CS Smoke Triple Phaser outdoor canister

Cost: Approximately \$39 each, approximately \$145 total. Obtained: 2018 Quantity: 5 canisters. Lifespan: 5+ years

Def-Tech CS Riot Control continuous discharge canisters

Cost: Approximately \$24 each, approximately \$600 total. Obtained: 2018 Quantity: 25 canisters. Lifespan: 5+ years

CTS 4630 40 MM CS chemical agent muzzle blast—Riot control

Cost: Approximately \$20 dollars each, approximately \$100 total. Quantity: 5 munitions. Lifespan: 5+ years

Def-Tech CS chemical agent rubber handball munition (no projectiles)

Cost: Approximately \$32 each, approximately \$480 total. Quantity: 15 munitions. Lifespan: 5+ years

CTS 6340 OC Vapor canister munition

Purchase Cost: \$575.80 Quantity Owned: 10. Acquired: January 2023 Lifespan: Lifespan: 5+ years

Equipment Name: Noise Flash Diversionary Device (NFDD)

Cost: \$1,872

Quantity Owned: 46

Acquired: November 2018

Lifespan: 5 years

Equipment Capabilities: An NFDD, is a device that creates a bright flash and loud sound to temporarily divert the attention of subjects in the immediate area.

Purpose/Authorized Uses: NFDD's are used to distract and temporarily immobilize dangerous suspects by overwhelming their senses of vision and hearing. The distraction gives Officers time to seize a moment and create an opportunity to take control of high-risk or dangerous situations.

Fiscal Impact: No known annual maintenance cost.

Legal/Procedural Rules Governing Use: All applicable State, Federal, and local laws governing police use of force. Various MVPD Policies on use of force and firearms.

Training Required: 8-hour NFDD instructor school.

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## **Category 14: Projectile Launcher and Munitions**

Equipment Name: Projectile Launchers and Associated Munitions (see below for each individual type)

Purchase Cost: See below for cost per equipment type

Quantity Owned: See below for quantity owned per equipment type

Acquired: See below for acquired date per equipment type

Lifespan: 5 years

Equipment Capabilities: Launcher systems that use smokeless powder to deliver projectiles from a safe distance.

Purpose and Authorized Use: To help deescalate and limit the escalation of conflict where effective without the need for lethal force. Situations for use of the less-lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous, and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Fiscal Impact: No known annual maintenance cost.

Legal/Procedural Rules Governing Use: Use is established under MVPD Policy 308. It is the policy of the MVPD to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force. Training Required: 24-hour less-lethal instructor course.

### Inventory:

FN303 .68 caliber Launcher

Cost: Approximately \$1,200 each. Quantity: 2. Obtained: Prior to 2010 Lifespan: 15+ years

.68 caliber projectiles

Cost: \$4,443. Quantity: 900. Obtained: 2023 Lifespan: 5+ years

40 mm Single-Shot Sponge Round Launcher

Cost: Approximately \$900 each, approximately \$1,800 total. Quantity: 2. Lifespan: 15+ years

40 mm 4-Shot Multi-Launcher

Cost: Approximately \$2,300. Quantity: 1. Lifespan: 15+ years

40 mm Less-Lethal Sponge Round with no Chemical Agent

Cost: Approximately \$18 per round, approximately \$900 total. Obtained: 2020 Quantity: 50 rounds Lifespan: 5+ years

40 mm Less-Lethal Sponge Round with CS Chemical Agent

Cost: Approximately \$18 per round, approximately \$720 total. Obtained: 2020 Quantity: 40 rounds Lifespan: 5+ years

40 mm Less-Lethal Sponge Round with OC Chemical Agent

Cost: Approximately \$18 per round, approximately \$360 total. Obtained: 2020 Quantity: 20 rounds Lifespan: 5+ years

40 mm Less-Lethal Sponge Round with OC Chemical Agent

Cost: Approximately \$18 per round, approximately \$360 total. Obtained: 2020 Quantity: 20 rounds Lifespan: 5+ years

12-Gauge Shotgun Chemical Munition Launcher

Cost: Approximately \$400. Quantity: Obtained: Prior to 1995 Lifespan: 15+ years

12-Gauge Shotgun Bean Bag Launcher

Cost: Approximately \$400 each, \$14,800 total. Obtained: Prior to 1995 Quantity: 37 Lifespan 15+ years

12-Gauge Bean Bag Impact Munition

Cost: Approximately \$6 per round, \$2,833. Obtained: 2023. Quantity: 250. Lifespan: 5+ years

SAGE 37mm Projectile Launcher

Cost: Approximately \$775 each, \$2,325 total. Obtained: Prior to 2000 Quantity: 3. Lifespan: 5+ years

SAGE 37mm impact munition

Cost: Approximately \$10 each, \$500 total. Obtained: Prior to 2000 Quantity: 50 Lifespan: 5+ years