



# City of Newark

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## Newark Police Department

37077 Newark Boulevard  
Newark, CA 94560



April 9, 2024

### 2023 ANNUAL MILITARY EQUIPMENT USE REPORT & QUALIFYING EQUIPMENT INVENTORY

The acquisition and use of military equipment in our community may impact the public's safety and welfare. Our community has a right to know about funding, acquisition, or use of military equipment by the Newark Police Department (PD), as well as a right to participate in the local government's decision to fund, acquire, or use such equipment.

The Newark Police Department owns equipment defined as "military equipment" under California Government Code section 7070 subdivision (c). Newark PD does not possess any equipment received from the military, nor does it possess any equipment that was designed for military use. Newark PD does not participate in the Law Enforcement Support Officer (LESO) 10-33 program. The department does not currently receive or utilize surplus military equipment from the Federal government. It is the policy of the Newark Police Department to acquire and use equipment designed to enhance law enforcement's ability to ensure public safety and welfare.

Newark PD's Military Equipment Policy 709 requires the publication of an Annual Military Equipment Usage Report. Per Government Code section 7072, our annual report must include the following information:

- *A summary of how the military equipment was used and the purpose of its use.*
  - The Qualifying Equipment Inventory details usage of each item
- *A summary of any complaints or concerns received concerning the military equipment.*
  - Newark PD did not receive any complaints related to the use of military equipment in 2023.
- *The results of any internal audits or information about violations of military equipment use policy and any actions taken in response.*
  - All use of force incidents are reviewed by assigned Watch Commanders to ensure employees are performing their duties within guidelines set by department policy and applicable law. Reviews provide opportunities to reflect on officer actions, policies, procedures, legislation, training, and best practices. During the 2023 military equipment audit, no violations or concerns related to the use of military equipment were reported. Officers were found to be operating in a manner consistent with department policies and training.
- *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.*
  - The Qualifying Equipment Inventory details the cost associated with all military equipment.



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- *The quantity possessed for each type of military equipment.*
  - The Qualifying Equipment Inventory details the quantity of all military equipment.
- *If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.*
  - Newark PD intends to replace 30 previously approved patrol rifles and intends to add 10 additional rifles to the equipment inventory for 2024 for a total of 40 patrol rifles. Replacement patrol rifles was listed in the 2022 Annual Military Equipment Use Report as an intended future purchase but was not acquired during 2023. Additionally, the department will be exploring the potential purchase of (6) replacement SWAT rifles to replace in-service SWAT rifles that have exceeded their lifespan.
  - Newark PD intends to purchase (12) noise flash diversionary devices (NFDD), commonly referred to as “flashbangs”, to replenish the current inventory.
  - Any other purchases for Newark PD in 2024 include items needed to maintain inventory for previously approved military equipment which need to be repaired or replenished after being used in either the field or training environments. All items needed to be repaired or replenished are included in our policy and attached inventory, which was previously approved by the City Council.
  - The department will be exploring the potential to acquire a miniature confined space capable UAS/Drone. A confined space drone was listed in the 2022 Annual Military Equipment Use Report as a possible future purchase but was not acquired during 2023. Future attempts to obtain the UAS/Drone or any additional types of military equipment not expressly provided herein, will adhere to procedures set forth in the Government Code and our Military Equipment policy; this includes a public hearing for City Council approval prior to acquisition.
  - The Qualifying Equipment Inventory and all costs associated with the use of this equipment is believed to be consistent with the Military Equipment inventory list, policy, and department budget, previously approved by the City Council. It should be noted, these operating costs are good faith estimates which are subject to changes made by vendors and/or manufacturers based on variables related to availability, shipping, and general market increases.

### **Public Comment**

Newark PD strongly considers the public’s welfare, safety, civil rights, and civil liberties. In an effort for continued transparency, our department places high regard on public input related to the use of military equipment in our community. The department will hold a well-publicized and conveniently located community engagement meeting where members of the community may discuss and ask questions regarding the annual military equipment report. A meeting will be held within thirty days of posting this report on our department website.

Qualifying Equipment Inventory: Owned/Utilized by the Newark Police Department

Equipment Name: Unmanned Aircraft Systems (UAS/Drones) – CA Gov’t Code § 7070 (c)(1)	
Quantity Owned/Sought: 4	Lifespan: 5 years
<p>Equipment Capabilities:</p> <p>Remotely piloted aerial vehicle capable of providing live and recorded video images captured from aerial positions, including images enhanced by Forward Looking Infrared (FLIR), thermal and optical zoom lenses.</p>	
<p>Manufacture Product Description:</p> <p>DJI Phantom 4 Pro (quantity 1): The Phantom 4 Pro’s camera shoots 4K/60fps at a bitrate of 100Mbps and stills up to 20-megapixels. The Flight Autonomy system adds dual rear vision sensors and two Time of Flight range imaging cameras for a total of 5 directions of obstacle sensing with a range of up to 30m in all directions. The Lightbridge HD video transmission system offers an extended maximum transmission range of 4.3mi (7km) with the ability to switch between 2.4GHz and 5.8GHz. The aircraft’s Intelligent Flight Battery also have increased capability by 520mAh to enable an extended flight time of 30 minutes.</p> <p>DJI Mavic 2 Enterprise (quantity 3): The Mavic 2 Enterprise Dual features a 24mm camera with a 1/2.3” 12MP sensor and FLIR thermal imaging sensor. The cameras can capture up to UHD 4K resolution video at 30fps, or thermal imaging images and temperature data. The Mavic 2 Enterprise can achieve speeds of up to 44.7 mph, and the four-cell LiPo battery provides up to 31 minutes of flight time. The Mavic 2 Enterprise Dual also supports OcuSync 2.0 video transmission system. Additionally, there are three modular accessories to include a spotlight, speaker, and beacon. The Mavic 2 Enterprise also has omnidirectional obstacle sensing.</p>	
<p>Purpose/Authorized Uses:</p> <p>To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Major collision investigations and crime scenes.</li> <li>2. Search for missing persons and rescue events.</li> <li>3. Natural disaster management.</li> <li>4. Anytime a UAS would enhance public safety, improve operational safety, incident stabilization or incident mitigation.</li> <li>5. SWAT, tactical or other public safety, fire services and life preservation missions.</li> </ol> <p>Only assigned personnel who have completed the required department training shall be permitted to operate any UAS during approved missions. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.</p>	
<p>Fiscal Impacts:</p> <p>DJI Phantom 4 Pro \$1500</p> <p>DJI Mavic 2 Enterprise \$3350 each</p>	
<p>Legal/Procedural Rules Governing Use:</p> <p>The use of a UAV is in accordance with Newark Police Department Policy – 613 – Unmanned Aircraft Systems and FAA Regulation 14 CFR Part 107.</p> <p>It is the policy of the NPD to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.</p>	

<p><b>Training Required:</b> Federal Aviation Administration “Part 107 – Remote Pilot License” and POST certified 24-hour Basic UAS Pilot course.</p>
<p>Annual Report 2023</p>
<p><b>Use Summary:</b> During the 2023 calendar year, the Newark Police Department documented (14) UAS/Drone deployments. In these cases, UAS/Drones were deployed to assist the Field Operations Division with active investigations to enhance officer safety and/or document fatal collision scenes. The deployment incidents included theft, stolen vehicles, high-risk warrants, and collision investigations.</p>
<p><b>Complaints Received:</b> No complaints were received regarding UAS/Drone usage.</p>
<p><b>Internal Audit</b> A review of UAS/Drones deployments found their use was within policy and determined no violations of the military equipment use policy were identified.</p>
<p><b>Quantity Possessed: 4</b></p>
<p><b>Annual Cost:</b> There are no reoccurring costs with the possession of the UAS/Drones. Drone pilot operation is a collateral assignment in addition to regular duties. Training is completed on an annual basis depending on training needs. This training occurs during normal duty hours and when staffing allows.</p>
<p><b>Anticipated Purchase(s):</b> In the coming year there is an interest in purchasing (1) mini UAS/Drone to assist with the purpose above where the location is too confined for conventional UAS/Drone use.</p>

Qualifying Equipment Inventory: Owned/Utilized by the Newark Police Department

Equipment Name: Robotex Avatar III/ Robotex Avatar II Robot(s)- CA Gov't Code § 7070 (c)(1)	
Quantity Owned/Sought: Owned: (1) Robotex Avatar III <b>(1)</b> Robotex Avatar II	Lifespan: 10 Years
Equipment Capabilities: Robots designed for remote handling of objects, reconnaissance missions, two-way communication, and deliver/ retrieval tasks.	
Manufacture Product Description: The Robotex Avatar III/ Robotex Avatar II are rugged, easy-to-use tactical robots that enhance the capabilities of law enforcement and first-responders by allowing them to safely and quickly inspect dangerous situations.	
Purpose/Authorized Uses: To remotely gain visual/ audio data, deliver CNT phone, open doors, disrupt packages, and clear buildings, or for any other approved law enforcement purpose. Only to be utilized by officers who have been trained in their proper use and deployment.	
Fiscal Impacts: \$30,000 / unit	
<p>Legal/Procedural Rules Governing Use:</p> <p>The use of a robot is in accordance with Newark Police Department Policy – 408– Special Weapons and Tactics.</p> <p>It is the policy of the NPD to utilize robots only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.</p> <p>The use of an unmanned, remotely piloted, powered ground vehicles potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to all applicable privacy laws 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). Post Hoc authorization is required per Penal Code § 632.</p>	
Training Required: Specialized yearly department training via NPD SWAT Personnel.	
Other: Robotex Avatar III can be equipped with Avatar Extended Reach Manipulator Arm (\$24,000 purchase price). The Avatar III with Avatar Extended Reach Manipulator Arm was obtained through State grant funds.	
Annual Report 2023	
<p>Use Summary:</p> <p>During the 2023 calendar year, the Newark Police Department documented (2) Robotex Avatar deployments. In both instances, the Avatar was deployed to assist Field Operations with the searching of a building for suspect(s) during a high-risk building search.</p>	
<p>Complaints Received:</p> <p>No complaints were received regarding Avatar usage.</p>	
<p>Internal Audit</p> <p>A review of Avatar deployments found their use was within policy and determined no violations of the military equipment use policy were identified.</p>	
Quantity Possessed: 2	

Annual Cost:

There are no reoccurring costs with the possession of the Robotex Avatar robots. An Avatar operator is a collateral assignment in addition to regular duties. Training with the Avatar occurs annually depending on training needs.

Anticipated Purchase(s):

We do not anticipate any purchases for the Avatar in the coming year.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: Lenco Armored Rescue Vehicle (ARV) -CA Gov't Code § 7070 (c)(3)	
Quantity Owned/Sought: 1	Lifespan: ~20 years
<p>Equipment Capabilities:                  The vehicle is equipped with emergency lights/sires, rotating roof hatch, electric winches, running boards, back-up camera, battering ram attachment, CS (tear gas) deployment attachment for battering ram, and spot/flood lights. The vehicle is armored with a 0.5 – 1.5” thick steel and ballistic windows rated to stop a 0.50 caliber bullet.</p>	
<p>Manufacture Product Description:                  2004 Lenco BearCat G1 Armored Rescue Vehicle (ARV) is the standard tactical armored vehicle for special operations units within the US Law Enforcement community. Since the early 2000s, agencies such as LAPD, LASD SEB, NYPD ESU, Boston PD and hundreds of Federal, State and Local Law Enforcement agencies have made the BearCat G1 part of their standard operating procedure. The G1 has excellent on-road driving characteristics and maneuverability in tight urban settings.</p>	
<p>Purpose/Authorized Uses:                  The Armored Rescue Vehicle (ARV) is primarily used during critical incidents. The ARV may be used by patrol and SWAT personnel for the safe transport of personnel, to conduct high risk rescue and evacuation operations, high risk warrant service operations, dangerous high risk tactical operations, training, community engagement efforts, or any other applications deemed appropriate by the SWAT Commander, Division Commander, or Chief of Police.</p>	
<p>Fiscal Impacts:                  The cost of the ARV was approximately \$160,000. The refurbished 2004 vehicle was purchased by Newark Police Department in May of 2013 from the vendor, Lenco, on a lease agreement, which was budgeted and paid over 8 years out of the police department’s operating budget.</p>	
<p>Legal/Procedural Rules Governing Use:                  The use of the ARV may be considered a show of force and is governed by Newark Police Department Policy 300 – Use of Force and Policy 408.5.2 - Special Weapons and Tactics – Equipment.                  It is the policy of the Department to use the ARV only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.</p>	
<p>Training Required:                  Officers are to be trained in the operation of the ARV prior to use. Training will include basic knowledge of electronic/mechanical functions on the vehicle and a driving exercise. SWAT personnel will receive advanced training and are expected to maintain a higher level of operational knowledge and expertise. Only NPD personnel who have completed training and possess a valid California Driver’s License will be authorized to drive/operate the ARV, unless a delayed deployment of an ARV would result in serious bodily injury or death.</p>	
Annual Report 2023	
<p>Use Summary:                   During the 2023 calendar year, the Newark Police Department documented (15) Lenco Armored Rescue vehicle (ARV) deployments. In these cases, the ARV was deployed to assist the Field Operations Division in (11) incident deployments where the ARV was used to protect officers during the following critical high stress incidents:</p> <p>1/19/2023: SWAT Arrest/ Search warrant service for attempt homicide investigation                  1/19/2023: Mutual aid for SACMCTF during homicide arrest</p>	

<p>3/8/2023: SWAT Arrest/ Search warrant service for automatic weapon investigation</p> <p>3/8/2023: Response to shooting investigation</p> <p>3/12/2023: Response to a carjacking investigation</p> <p>4/8/2023: Response to disturbance with presence of a firearm</p> <p>5/11/2023: Mutual aid for Fremont PD during hostage barricade</p> <p>5/13/2023: Response to suicidal subject with a firearm</p> <p>8/24/2023: Mutual aid for Southern Alameda Major Crimes TaskForce during attempt homicide investigation</p> <p>9/9/2023: Response to disturbance with possible fatal injuries</p> <p>9/20/2023: Mutual aid for SACMCTF during carjacking investigation</p> <p>In an additional (4) deployments, the ARV was used as an educational tool for public relation events: Newark Days, Children Summer Camp, Police Department tour, and Big Truck Day.</p>
<p>Complaints Received: No complaints were received regarding ARV usage.</p>
<p>Internal Audit A review of ARV deployments determined that its use was within policy and no violations of the military equipment use policy were identified.</p>
<p>Quantity Possessed: 1</p>
<p>Annual Cost: Although there is no specialized reoccurring annual cost with the possession of this vehicle, there are routine maintenance costs for its upkeep, which are in-line with the upkeep of other fleet vehicles.</p>
<p>Anticipated Purchase(s): There are no anticipated purchases for the coming year.</p>



Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: City of Newark- Mobile Command Vehicle (MCV) CA Gov't Code § 7070 (c)(5)	
Quantity Owned/Sought: 1	Lifespan: 25 years
<p>Equipment Capabilities:</p> <p>The vehicle is capable of being used as a mobile command center, a temporary emergency operations center, for crisis negotiations, and as a dispatch center. The vehicle is capable of transporting personnel and equipment. The vehicle can be separated into two separate work areas by partitions to serve multiple functions simultaneously.</p> <p>The Mobile Command vehicle serves as a resource management center, rallying point for outside resources, and location for centralized and unified command.</p>	
<p>Manufacture Product Description:</p> <p>LDV Model SS28RC-10CC SO243022. The Newark Police Department Mobile Command Vehicle is an 18' dry van with a cab-to-axle length of 120". It is built on a 2019 Ford F-550 Regular Cab 2WD single rear axle gasoline chassis. 19,500-lb with rear spring suspension and hydraulic brakes. It is painted white with police graphics affixed to the sides of the vehicle.</p>	
<p>Purpose/Authorized Uses:</p> <p>To be used for critical incident callouts, as a temporary emergency operations center, as a backup dispatch center, as a crisis negotiation workspace, or for other approved law enforcement purpose. The Mobile Command vehicle serves as a resource management center, rallying point for outside resources, and location for centralized and unified command.</p> <p>The Mobile Command Vehicle can be used by staff who have been properly trained in the safe handling of the vehicle.</p>	
<p>Fiscal Impacts:</p> <p>Total cost of the Mobile Command Vehicle was \$211,000. \$135,000 was funded by State Grant and the remainder \$76,000 was allocated through a General Fund Budget Amendment from the 2018-2020 Biennial Budget.</p>	
<p>Legal/Procedural Rules Governing Use:</p> <p>It is the policy of the Department to use the MCV only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.</p>	
<p>Training Required:</p> <p>Members of the Crisis Negotiations Team and Tactical Dispatchers receive annual training on the internal electrical system.</p>	
Annual Report 2023	
<p>Use Summary:</p> <p>During the 2023 calendar year, the Newark Police Department documented (4) Mobile Command Vehicle (MCV) deployments: Newark Days, Family Day in the Park, Big Truck Day, and a Christmas Tree Lighting Event. In these cases, the MCV was deployed to assist the Field Operations Division as a resource management center for public relations events where the public could connect with city personnel. On (2)</p>	

occasions the MCV was used as an operations center for tactical dispatch and crisis negotiations during a Field Operations incident.
Complaints Received: No complaints were received regarding MCV usage.
Internal Audit A review of MCV deployments determined its use was within policy and no violations of the military equipment use policy were identified.
Quantity Possessed: 1
Annual Cost: There is a general ongoing maintenance cost (oil changes, vehicle service etc.) including DMV registration in accordance with other department fleet vehicles. There are no other specialized costs with this equipment. No formalized training is required to drive this class "C" vehicle.
Anticipated Purchase(s): There is no anticipated purchase of this equipment in the coming future.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: Patrol Rifles - Colt AR-15 ; CA Gov't Code § 7070 (c)(10)	
Quantity Owned/Sought: 30	Lifespan: 10 years
<p>Equipment Capabilities: Carbine Rifle is a firearm, capable of accurately stopping an armed subject at various distances to include those that exceed the capabilities of a service pistol. The .223 / 5.56 cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects.</p>	
<p>Manufacture Product Description: The Carbine Rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon. AR-15 style barrel lengths varying from 10.3 to 16 inches.</p> <ul style="list-style-type: none"> <li>• COLT AR-15 Carbine Patrol Rifle: 25</li> <li>• Rock River Arms AR-15 Carbine Patrol Rifle: 5</li> </ul>	
Purpose/Authorized Uses: To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.	
Fiscal Impacts: \$1,050 ea	
<p>Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Newark Police Department Policy 300 – Use of Force, Policy 312.3.2 – Firearms – Patrol Rifles, Policy 408.5.2 - Special Weapons and Tactics – Equipment.</p> <p>Possession of short-barreled rifles by police officers is governed by Penal Code § 33220. Possession of assault weapon by police officers in the discharge of their duties is governed by Penal Code § 30625.</p>	
<p>Training Required: Officers must successfully complete a CA POST certified 16-hour tactical rifle course as well as regular department firearms training and qualifications as required by law and policy.</p> <p>Proficiency training shall be monitored and documented by POST certified firearms instructors. All training and proficiency for firearms will be documented in the officer's training file.</p>	
Annual Report 2023	
<p>Use Summary: During the 2023 calendar year, the Newark Police Department documented (4) patrol rifle deployments during training only. In these cases, patrol rifles were deployed in accordance with training needs to qualify and maintain proficiency with the rifle at an authorized police range.</p>	
<p>Complaints Received: No complaints were received regarding patrol rifle usage.</p>	
<p>Internal Audit A review of the patrol rifle deployments found their use was within policy and no violations of the military equipment use policy were identified.</p>	
Quantity Possessed: 30	
<p>Annual Cost: There are no reoccurring costs with the possession of the patrol rifles except for replacement of broken parts which occur randomly.</p>	

Anticipated Purchase(s):

In the coming year the department anticipates replacing the current (30) patrol rifles and purchasing (10) additional rifles.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: M4 Style Platform Automatic SWAT Rifle; CA Gov't Code § 7070 (c)(10)	
Quantity Owned/Sought: 15	Lifespan: 10 yrs
<p>Equipment Capabilities: Carbine Rifle is a firearm, capable of accurately stopping an armed subject at various distances to include those that exceed the capabilities of a service pistol. The .223 / 5.56 cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects.</p>	
<p>Manufacture Product Description:</p> <ul style="list-style-type: none"> <li>• Sig Sauer SIG516 10.5-inch M4 style platform, fully automatic, pushrod gas system rifles in 5.56 caliber with flip up rear adjustable sights: 6</li> <li>• Colt 10.5-inch M4 style platform, fully automatic, pushrod gas system rifles in .223 caliber with flip up rear adjustable sights: 6</li> <li>• Bushmaster 10.5-inch M4 style platform, fully automatic, pushrod gas system rifles in .223 caliber with flip up rear adjustable sights: 3</li> </ul>	
<p>Purpose/Authorized Uses: To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.</p>	
Fiscal Impacts: \$2,100 ea.	
<p>Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Newark Police Department Policy 300 – Use of Force, Policy 312.3.2 – Firearms – Patrol Rifles, Policy 408.5.2 - Special Weapons and Tactics – Equipment. Possession of short-barreled rifles by police officers is governed by Penal Code § 33220. Possession of assault weapon by police officers in the discharge of their duties is governed by Penal Code § 30625.</p>	
<p>Training Required: Only current NPD SWAT Team Members who have: 1) completed a 16 hour POST approved tactical rifle course. 2) successfully passed the NPD SWAT Rifle Qualification course and 3) enrolled in or successfully completed a POST approved Basic SWAT School course shall be authorized to utilize an M4 style platform. Users must continually display proficiency by successfully passing quarterly (4) qualification courses each calendar year.</p> <p>Proficiency training shall be monitored and documented by POST certified firearms instructors. All training and proficiency for firearms will be documented in the officer's training file.</p>	
Annual Report 2023	
<p>Use Summary: During the 2023 calendar year, the Newark Police Department documented (6) SWAT rifle deployments. In these cases, SWAT rifles were deployed in accordance with training needs to qualify and maintain proficiency with the rifle at an authorized police range.</p>	
<p>Complaints Received: No complaints were received regarding patrol rifle usage.</p>	

**Internal Audit**

A review of the SWAT rifle deployments determined their use was within policy and no violations of the military equipment use policy were identified.

**Quantity Possessed: 15**

**Annual Cost:**

There are no reoccurring costs with the possession of the SWAT rifles except for replacement of broken parts which occur randomly.

**Anticipated Purchase(s):**

There is an anticipated purchase of (6) replacement SWAT rifles, which are currently beyond their expected lifespan.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: Compact Heckler Koch Submachine Gun; CA Gov't Code § 7070 (c)(10)	
Quantity Owned/Sought: 7	Lifespan: 10 Years
<p>Equipment Capabilities:                      The submachine gun is a firearm, capable of accurately stopping an armed subject at various distances to include those that exceed the capabilities of a service pistol. It is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon. It is a short-barreled weapon which allows a trained officer better control inside of structures with greater accuracy than a handgun.</p>	
<p>Manufacture Product Description:                      Heckler Koch MP5 is a submachine gun using a blowback operating system for reliability, accuracy, and ease of handling in confined spaces. The barrels are cold hammer forged with the body consisting of stamped high strength steel and modern polymers.</p> <ul style="list-style-type: none"> <li>• Heckler and Koch MP5 40cal with safe/semi/3<sup>rd</sup> burst/auto selector switch .40cal: 2</li> <li>• Heckler and Koch MP5 9mm with safe/semi/3<sup>rd</sup> burst/auto selector switch 9mm: 5</li> </ul>	
<p>Purpose/Authorized Uses:                      To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.</p>	
Fiscal Impacts: \$3,025 per rifle	
<p>Legal/Procedural Rules Governing Use:                      All applicable State, Federal and Local laws governing police use of force. Newark Police Department Policy 300 – Use of Force, Policy 312.3.2 – Firearms – Patrol Rifles, Policy 408.5.2 - Special Weapons and Tactics – Equipment.                      Possession of short-barreled rifles by police officers is governed by Penal Code § 33220. Possession of assault weapon by police officers in the discharge of their duties is governed by Penal Code § 30625.</p>	
<p>Training Required:                      Officers must successfully complete a CA POST certified 16-hour tactical rifle course as well as regular department firearms training and qualifications as required by law and policy.                      Only members that have successfully completed NPD sub gun range qualification are authorized to use these weapons.</p>	
Annual Report 2023	
<p>Use Summary:                      During the 2023 calendar year, the Newark Police Department documented (0) HK submachine gun deployments.</p>	
<p>Complaints Received:                      No complaints were received regarding patrol rifle usage.</p>	
<p>Internal Audit                      No internal audit was conducted as there were no deployments for 2023.</p>	
Quantity Possessed: 7	
<p>Annual Cost:                      There are no reoccurring costs with the possession of the HK submachine guns.</p>	
<p>Anticipated Purchase(s):                      There are no anticipated purchases for the coming year.</p>	

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: .308 Bolt Action Rifle – Accuracy International AE and ammo; CA Gov’t Code § 7070 (c)(10)	
Quantity Owned/Sought: 2	Lifespan: 10 years
<p>Equipment Capabilities:</p> <p>The Accuracy International AE .308 rifle enables the stopping of an armed subject at a safe distance. The rifle is capable of accurately stopping an armed subject at various distances to include those that exceed the capabilities of a service pistol. Additionally, the rifle, paired with the scope, creates a system which will allow for a trained sniper to gather real time information through observation at safe distances.</p>	
<p>Manufacture Product Description:</p> <p>The Accuracy International AE is a bolt action rifle manufactured for precision shooting. The rifle delivers a single .308 caliber shot from a short action rifle system. The Accuracy International AE rifle delivers precision accuracy in a powerful and rugged design. Features include a 24 inch floating barrel, a 5 round capacity magazine, manual safety, synthetic stock, carbon steel barrel, a Nightforce scope and Harris bi-pod. The rifle can deliver a precise shot engaging dangerous targets out to 600 meters and can be used for information gathering and observation at safe distances.</p>	
<p>Purpose/Authorized Uses:</p> <p>Accuracy International precision rifles are to be used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.</p>	
<p>Fiscal Impacts:</p> <p>\$5,500 each.</p>	
<p>Legal/Procedural Rules Governing Use:</p> <p>All applicable State, Federal and Local laws governing police use of force. Newark Police Department Policy 300 – Use of Force, Policy 312 – Firearms, Policy 408 - Special Weapons and Tactics.</p>	
<p>Training Required:</p> <p>SWAT Snipers must successfully complete SWAT school. SWAT Snipers must attend a 40 hour POST approved Basic Sniper School, and regularly train and qualify with various weapons systems including the .308 bolt action Sniper rifle to maintain proficiency.</p> <p>Proficiency training shall be monitored and documented by POST certified firearms instructors.</p> <p>All training and proficiency for firearms will be documented in the officer’s training file.</p>	
Annual Report 2023	
<p>Use Summary:</p> <p>During the 2023 calendar year, the Newark Police Department documented (0) .308 Bolt Action Rifle deployments.</p>	
Complaints Received:	



No complaints were received regarding .308 Bolt Action Rifle usage.
Internal Audit No internal audit was conducted as there were no deployments for 2023.
Quantity Possessed: 2
Annual Cost: There are no reoccurring costs with the possession of the .308 Bolt Action Rifle.
Anticipated Purchase(s): There are no anticipated purchases for the coming year.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: CS Gas systems- CA Gov't Code § 7070 (c)(12)	
Quantity Owned/Sought:	Lifespan: 5 years
<p><u>Owned:</u></p> <p>(20) CTS Irritant Munitions 5230B – CS Baffled Canister Grenade</p> <p><u>Sought :</u></p> <p>(30) CTS Irritant Munitions 4330 – 40MM CS Liquid Barricade Projectile</p> <p>(12) CTS Irritant Munitions 9430 – CS Tear Ball Grenade</p> <p>(12) CTS Irritant Munitions 5430 – CS Flameless Expulsion Canister</p> <p>(12) CTS Irritant Munitions 6230 – CS Canister Grenade</p> <p>(25) CTS 40mm Munitions 4530 – 40mm Frangible Impact- CS Powder</p>	
Equipment Capabilities: The use of CS Gas causes mucous membranes and exposed skin to become inflamed resulting in a temporary respiratory effect and discomfort.	
<p>Manufacture Product Description:</p> <p>CTS Irritant Munitions 4330 – 40MM CS Liquid Barricade Projectile – Spin Stabilized, 4.1” long liquid CS filled projectile penetrates intermediate barriers and delivers irritant agents into an adjacent room.</p> <p>CTS Irritant Munitions 9430 – CS Tear Ball Grenade – "Rubber – ball" style grenades that upon initiation eject a powder payload of CS into a radius surrounding the device. Tear balls are primarily used for crowd control in indoor and outdoor situations.</p> <p>CTS Irritant Munitions 5230B – CS Baffled Canister Grenade – Pyrotechnic grenade designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire.</p> <p>CTS Irritant Munitions 5430 – CS Flameless Expulsion Canister Grenade – Large diameter flameless grenade posing no risk of fire and discharging a large powder payload instantaneously through multiple emission ports.</p>	

CTS Irritant Munitions 6230 – CS Canister Grenade – Pyrotechnic canister grenade emitting smoke through multiple emission ports for 30 to 40 seconds.

CTS 40mm Munitions 4530 – 40mm Frangible Impact- CS Powder – 40mm multi-effect munition delivering greater energy on the target with extreme accuracy and simultaneously dispersing a cloud of irritant or marking power.

**Purpose/Authorized Uses:**

Less lethal weapon systems may limit the escalation of conflict where employment of lethal force is prohibited or undesirable. In order to control subjects who are violent or who demonstrate the intent to be violent, tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Captain or SWAT Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary. When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

**Fiscal Impacts:**

CTS Irritant Munitions 4330 – 40MM CS Liquid Barricade Projectile - \$23.37 / unit

CTS Irritant Munitions 9430 – CS Tear Ball Grenade - \$ 44.49 / unit

CTS Irritant Munitions 5430 – CS Flameless Expulsion Canister Grenade - \$42.35 / unit

CTS Irritant Munitions 6230 – CS Canister Grenade - \$27.19 / unit

CTS 40mm Munitions 4530 – 40mm Frangible Impact- CS Powder - \$26.51 / unit

CTS Irritant Munitions 6230 – CS Canister Grenade - \$41.93 / unit

**Legal/Procedural Rules Governing Use:**

The use of this equipment is governed by Newark Police Department Policy 300 – Use of Force, Policy 308.6 Control Devices and Techniques – Tear Gas Guidelines. Policy 312.3.3 - Firearms – Shotguns, Policy 467 – First Amendment Assemblies.

Tear gas is governed by Penal Code § 22810.

Additionally, use of kinetic projectiles and chemical agents for crowd control purposes is specifically governed by Penal Code § 13652.

**Training Required:**

Specialized yearly department training via a POST Certified Chemical Weapons Instructor.

**Other:**

CTS Irritant Munitions 4330 – 40MM CS Liquid Barricade Projectile, CTS Irritant Munitions 5230B – CS Baffled Canister Grenade, and CTS Irritant Munitions 6230 – CS Canister Grenade only to be utilized by properly trained NPD SWAT Personnel. CTS Irritant Munitions 9430 – CS JetLite Rubber Ball Grenade, CTS Irritant Munitions 5430 – CS Flameless Expulsion Canister Grenade, and CTS 40mm Munitions 4530 – 40mm Frangible Impact- CS Powder only to be utilized by properly trained NPD SWAT/ Crowd Management Team (CMT) personnel.

(3) converted shotgun with cup launcher attachment, to only be utilized in conjunction with CTS Irritant Munitions 5230B – CS Baffled Canister Grenade for deployment into a structure.

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Use Summary:

During the 2023 calendar year, the Newark Police Department documented (0) CS Gas systems deployments.

Complaints Received:

No complaints were received regarding CS gas usage.

Internal Audit

A review of the CS gas deployment found their use was within policy and no violations of the military equipment use policy were identified. We discovered during the replacement of expired CS gas supplies that our vendor included an additional CTS 4530 40mm Munition.

Quantity Possessed: Varied based on device listed above

Annual Cost:

There are no reoccurring costs with the possession of the CS gas.

Anticipated Purchase(s):

There are no anticipated purchases for the coming year.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: CTS 7290 – Noise Flash Diversionary Device (NFDD) Flash Bang CA Gov’t Code § 7070 (c)(12)	
Quantity Owned/Sought: Owned (32)/ Sought (40)	Lifespan: 5 Years
Equipment Capabilities: The device is intended to create a diversion during critical incidents in which the device deflagrates, emitting a bright light and thunderous noise to distract potentially dangerous individuals.	
Manufacture Product Description: The CTS 7290 – Flash Bang is the standard for diversionary flash-bang devices. The 7290 produces 165-180db and 6-8 million candela of light output. The patented design of the 7290, incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface. In addition, internal adjustments have greatly reduced smoke output. The device is an ATF-controlled Class C explosive device.	
Purpose/Authorized Uses: Used during critical incidents as a diversionary device to disorient/ distract potentially dangerous individuals. Device shall only be used by officers who have been trained in their proper use and deployment. Situations for use of the device may include but are not limited to - 1) In hostage and barricaded subject situations. 2) In high-risk warrant (search/ arrest) services where there may be extreme hazards to officers. 3) During Riot/ Crowd control and civil unrest incidents 4) During other high-risk situations where their use would enhance officer safety and a tactical advantage can be obtained. 5) During training exercises or approved demonstrations.	
Fiscal Impacts: \$39.58/ CTS 7290 – Flash Bang	
Legal/Procedural Rules Governing Use: The use of flashbangs is governed by Newark Police Department Policy 300 – Use of Force and Policy 408.5.2 - Special Weapons and Tactics – Equipment.  It is the policy of the NPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	
Training Required: Specialized yearly department training via a POST Certified Noise-Flash-Diversionary Device Instructor.	
Other: CTS 7290 – Flash Bang only to be utilized by properly trained NPD SWAT/ CMT Personnel.	
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Use Summary: During the 2023 calendar year, the Newark Police Department documented (4) flash bang system deployments. In these (4) cases, flash bangs were deployed during training in accordance with training needed to qualify and maintain proficiency with the device at an authorized police training facility or for the purpose of demonstration to members of the public.	
Complaints Received: No complaints were received regarding flash bang usage.	

Internal Audit

A review of flash bang deployments determined that their use was within policy and no violations of the military equipment use policy were identified.

Quantity Possessed: 22

Annual Cost:

There are no reoccurring costs with the possession of these devices.

Anticipated Purchase(s):

There is an anticipated purchase of (12) additional flashbangs to replenish the current inventory.

Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: Pepperball TAC-SF launcher- CA Gov't Code § 7070 (c)(12)	
Quantity Owned/Sought: 3	Lifespan: 10 yrs
Equipment Capabilities: The TAC-SF semi-automatic pepperball launcher can launch over 250 .68 calibre pepperball projectiles containing 2% PAVA (OC) at an approximate distance of 150 feet per air tank charge providing distance and increasing safety.	
Manufacture Product Description: Pepperball TAC-SF is a compact lightweight modular launcher constructed of glass nylon. It launches standard .68 calibre round projectiles using a high-capacity air pressure system.	
<p>Purpose/Authorized Uses:</p> <p>Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. 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.</p>	
Fiscal Impacts: \$1,900 ea.	
<p>Legal/Procedural Rules Governing Use:</p> <p>Use is established under Newark Police Department Policy 308.47.2. - Control Devices and Techniques – Pepper Projectile Systems. It is the policy of the NPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.</p> <p>Additionally, use of kinetic projectiles and chemical agents for crowd control purposes is specifically governed by Penal Code § 13652.</p>	
<p>Training Required:</p> <p>Only those officers who have been trained in the use of Kinetic Energy Projectile Device are certified to carry the specific device.</p> <p>Proficiency training shall be monitored and documented by POST certified less-lethal munitions and chemical agent instructors.</p> <p>All training and proficiency for control devices will be documented in the officer's training file.</p>	
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<p>Use Summary:</p> <p>During the 2023 calendar year, the Newark Police Department documented (2) Pepperball system deployments. In (1) case, the Pepperball system was used to assist the Field Operations Division during a critical high stress incident in a less than lethal capacity. (1) incident was in accordance with training needed to qualify and maintain proficiency with the gas at an authorized police range. The Pepperball system was NOT used in any crowd control situations.</p>	
<p>Complaints Received:</p> <p>No complaints were received regarding the Pepperball system usage.</p>	
<p>Internal Audit</p> <p>A review of Pepperball system deployments determined their use was within policy and no violations of the military equipment use policy were identified.</p>	
Quantity Possessed: 3	

Annual Cost:

There is no reoccurring cost for the possession of the Pepperball launchers. Forecasted costs related to maintaining inventory for previously approved Pepperball ammunition which occasionally needs to be replenished after being used in either the field or training environments.

Anticipated Purchase(s):

There are no anticipated purchases of Pepperball systems in the coming year.



Qualifying Equipment Owned/Utilized by the Newark Police Department

Equipment Name: LMT Defense 40mm Launcher with 40mm kinetic energy projectiles- CA Gov't Code § 7070 (c)(14)	
Quantity Owned/Sought:  Owned:  (28) Defense Technology 1425 – 40mm LMT Tactical Single Launcher, Expandable Stock  (180) Defense Technology 6325 – Exact Impact 40mm Standard Range Sponge Round	Lifespan: 10 Years (Defense Technology 1425 – 40mm LMT Tactical Single Launcher, Expandable Stock)  5 years (Defense Technology 6325- Exact Impact 40mm Standard Range Sponge Round)
Equipment Capabilities: Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used to de-escalate a potentially deadly situation. Department approved kinetic projectiles are fired from 40 mm launchers.	
<p>Manufacture Product Description:</p> <p>Defense Technology 1425 – 40mm LMT Tactical Single Launcher, Expandable Stock – Tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two-point sling attachment. The launcher will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/ sighting systems.</p> <p>Defense Technology 6325 – Exact Impact 40mm Standard Range Sponge Round – a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40mm launcher’s rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for crowd control, patrol, and tactical applications.</p>	
Purpose/Authorized Uses: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the Kinetic Energy Projectiles may include, but are not limited to: 1) Self-destructive, dangerous and/or combative individuals. 2) Riot/ Crowd control and civil unrest incidents. 3) Circumstances where a tactical advantage can be obtained. 4) Potentially vicious animals. 5) Training exercises or approved demonstrations.	
Fiscal Impacts: \$725.00/ Defense Technology 1425- 40mm LMT Tactical Single Launcher, Expandable Stock \$19.30/ Defense Technology 6325 – Exact Impact 40mm Standard Range Sponge Round	
<p>Legal/Procedural Rules Governing Use: The use of 40mm Kinetic Energy Projectiles is governed by Newark Police Department Policy 300 – Use of Force, 308.9 - Control Devices and Techniques – Kinetic Energy Projectile Guidelines and Policy 497 - First Amendment Assemblies</p> <p>Additionally, use of kinetic projectiles and chemical agents for crowd control purposes is specifically governed by Penal Code § 13652.</p>	

<p><b>Training Required:</b>  Only those officers who have been trained in the use of Kinetic Energy Projectile Device are certified to carry the specific device.</p> <p>Proficiency training shall be monitored and documented by a certified less-lethal munitions instructor.</p> <p>All training and proficiency for control devices will be documented in the officer's training file.</p>
<p>Other: Defense Technology 1425 – 40mm LMT Tactical Single Launcher, Expandable Stock can be utilized by properly trained NPD SWAT Personnel for the deployment of CTS Irritant Munitions 4330 – 40mm CS Liquid Barricade Projectile. Defense Technology 1425 – 40mm LMT Tactical Single Launcher, Expandable Stock can be utilized by properly trained NPD SWAT/CMT Personnel for the deployment of CTS 40mm Munitions 4530 – 40mm Frangible Impact- CS Powder.</p>
<p>Annual Report 2023</p>
<p><b>Use Summary:</b>  During the 2023 calendar year, the Newark Police Department documented (4) LMT 40mm deployments. In (3) of these incidents, the 40mm was deployed to assist the Field Operations Division during critical incidents with the apprehension of suspect offenders. In (1) incident the 40mm was used in accordance with training needs to qualify and maintain proficiency with the gas at an authorized police range. There were no 40mm deployments for crowd control purposes.</p>
<p><b>Complaints Received:</b>  An internal audit revealed that no complaints were received regarding this equipment.</p>
<p><b>Internal Audit</b>  A review of the 40mm deployments determined their use was within policy and no violations of the military equipment use policy were identified.</p>
<p><b>Quantity Possessed: 28</b></p>
<p><b>Annual Cost:</b>  There are no reoccurring costs with the possession of the LMT 40mm launcher units. Forecasted costs related to maintaining inventory for previously approved 40mm ammunition which occasionally needs to be replenished after being used in either the field or training environments.</p>
<p><b>Anticipated Purchase(s):</b>  There are no anticipated LMT 40mm launcher unit purchases for this year.</p>