ORDINANCE NO. 864

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY APPROVING THE CCPD MILITARY EQUIPMENT USE POLICY

WHEREAS, the City of Crescent City is a general law city incorporated under the laws of State of California in 1854; and

WHEREAS, Assembly Bill 481, signed by the Governor on September 30, 2021, requires the governing bodies of local law enforcement agencies to adopt a military equipment use policy by ordinance; and

WHEREAS, Assembly Bill 481 requires that the governing body commence this process prior to May 1, 2022; and

WHEREAS, the policy must be reviewed and reauthorized on an annual basis following receipt of a report on the use of military equipment by the law enforcement agency; and

WHEREAS, the purpose of the policy is to provide transparency regarding the law enforcement agency's use of "military equipment"; and

WHEREAS, the City Council initially approved the Military Equipment Use Policy on June 6, 2022 by way of Ordinance No. 830; and

WHEREAS, the City Council has approved and amended the Military Equipment Use Policy on at least an annual basis with the last approval being on June 16, 2025 with Ordinance No. 856; and

WHEREAS, the Chief of Police has presented the Military Equipment Use 2025 Annual Report to the City Council and posted the report on its webpage; and

WHEREAS, on May 18, 2026, the City held a well-publicized public meeting where questions and concerns regarding the policy or the equipment authorized thereunder could be heard and addressed by the Chief of Police and the City Council.

NOW, THERFORE, the City Council of the City of Crescent City, State of California, hereby ordains:

SECTION 1. RECITALS. The City Council finds the above recitals to be true and correct and are incorporated herein as if set forth in full.

SECTION 2. UNCODIFIED ORDINANCE. This ordinance is an uncodified ordinance of the City of Crescent City.

SECTION 3. FINDINGS. The City Council makes the following findings and determinations:

a. The military equipment described in Crescent City Police Department Policy 710 attached hereto is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

b. Crescent City Police Department Policy 710 will safeguard the public's welfare, safety, civil rights, and civil liberties.

c. The military equipment identified in Crescent City Police Department Policy 710 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

SECTION 4. APPROVAL OF POLICY. The Crescent City Police Department Policy 710: Military Equipment attached hereto and made a part hereof by this reference, is hereby confirmed as approved by the City Council.

SECTION 5. SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 6. CEQA FINDINGS. This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines, and has been found to be exempt pursuant to Section 15061(b)(3) (general rule) of the CEQA Guidelines, because the City Council hereby finds with certainty that there is no possibility the passage of this Ordinance will have a significant effect on the environment.

SECTION 7. EFFECTIVE DATE & PUBLICATION. This Ordinance will become effective 30 days after the date of its adoption. The City Clerk shall cause this ordinance to be published within 15 days of its adoption in accordance with the requirements of Government Code Section 36933.

INTRODUCED at a meeting of the City Council of the City of Crescent City held on April 20, 2026.

PASSED AND ADOPTED by the City Council of the City of Crescent City at a regular meeting of the City Council held this 1st day of June 2026 by the following polled vote:

AYES: Council Members Altman, Greenough, Shamblin, Tinkler, and Mayor Wright
NOES: None
ABSENT: None
ABSTAIN: None

Isaiah Wright, Mayor

ATTEST:

Robin Altman, City Clerk

APPROVED AS TO FORM:

Martha D. Rice, City Attorney

Military Equipment

710.1 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). Government Code 7070(d)(7) requires that this policy have procedures by which members of the public may register complaints, or concerns or submit questions about the use of military equipment. This information can be found on the department website or by calling and scheduling a telephone appointment with the military equipment coordinator.

Department website: https://www.crescentcity.org/departments/Police

AB 481 Military Equipment Transparency

Department telephone number:

1-707-464-2133

710.1.1 DEFINITIONS

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

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

Military equipment – 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.

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- Area denial electroshock devices, microwave weapons, water cannons, long-range acoustic devices (LRADs), acoustic hailing devices, and sound cannons.
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

710.2 POLICY

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

710.3 MILITARY EQUIPMENT COORDINATOR

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

(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 Crescent City Police Department (Government Code § 7071).

(e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:

1. Publicizing the details of the meeting.
2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.

(f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).

(g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the department will respond in a timely manner.

710.4 MILITARY EQUIPMENT INVENTORY

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

(a) Specialized Firearms and Ammunition (Category 9)

(a) Description, quantity, capabilities, and purchase cost:

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

- The Carbine Rifle is a firearm, capable of accurately stopping an armed subject at various distances. The Carbine Rifle is a lightweight, air-cooled, gas operated, magazine fed, shoulder fired weapon, designed for semiautomatic or selective fire. The Carbine Rifle does not have an expiration and will need to be serviced or replaced when the Rifle fails or breaks. The.223/5.56 cartridge,.308/7.62 cartridge, and the.300 blackout cartridge is used as a lethal option designed to stop violent encounters. The projectile is capable of penetrating soft body armor being worn by armed subjects.
- Colt AR-15/M4 cost: $1,200, quantity: 4, Caliber 5.56MM. Daniel Defense MK18 cost $2,000, quantity 6, caliber 5.56.
- Authorized Make/Model of rifles for individual officer purchase:
    - .223/5.56 caliber: Daniel Defense - DDM4®V7®, DDM4®V7® PRO GUN METAL GRAY, MK18, M4A1, MK12, DDM4®V7® PRO, DDM4®V9®, DDM4®V7®SLW, DDM4ISR®, DDM4®V4®S, DDM4®V7®S, DDM4 V5S, or similar models approved by Chief of Police.
- - .300 blackout caliber: Daniel Defense - DDM4® PDW SBR or similar models approved by the Chief of Police.
    - .308/7.62 caliber: DPMS - AR-10.308 CALIBER RIFLE, MODEL LR-308, Daniel Defense -DD5®V3® (7.62 X 51MM), DD5®V4® (7.62 X 51MM), or similar models approved by the Chief of Police.
- The Winchester 5.56mm 55 grain full metal jacket is the primary duty cartridge deployed during potential lethal encounters. Cost: $2,500 to $3,000 annually, quantity: 3,000-5,000 rounds annually.
- Other brands and calibers also purchased, depending upon market supply/availability:
    - PMC 223A,.223 Remington 55 grain FMJ-BT
    - Federal XM193X 55-grain FMJ 5.56x45mm
    - Similar ammunition as approved by the Chief of Police based on market supply/ availability.
- .308/7.62 and.300 blackout ammunition would be utilized in individual officer owned rifles and purchased by the officers. This ammunition would be subject to approval of existing CCPD policy.

(b) Purpose: To be used as a precision weapon to address a threat with more precision and/or greater distances than a handgun if present, safe, and feasible.

(c) Authorized Use: Only officers that are POST certified and authorized to use a rifle. All other applicable CCPD policies remain in effect, to include, but not limited to, CCPD Policy 301 Use of Force, and CCPD Policy 314 Firearms.

(d) Expected Lifespan: No expiration for Carbine Rifles or ammunition.

(e) Fiscal Impact: Carbine Rifle- Annual cost $2,500 and $5,000. New rifle purchase in 2026 expected between $4000 to $8,000. Rifle Ammunition $2,500-$5,000 annually.

2. Tear Gas (Category 12)

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

(a) Description, quantity, capabilities, and purchase cost: Chemical agent munition, which are commonly referred to as "tear gas," are used by the Crescent City Police Department as a non-lethal tool to disperse rioting suspects and on barricaded suspects. The Crescent City Police Department uses chemical agents which are used by law enforcement across the United States: CS (2-Chlorobenzylidenemalononitrile) and OC (Oleoresin Capsicum) CS is an irritating agent and lachrymator (irritates the eyes and causes tears to flow) CS has been medically tested in the UK and US, specifically by the U.S. Army. There are no known allergic reactions to CS. OC was de-regulated in California in 1996, is endorsed by the FBI, and is available to civilians to legally possess (2.5 oz or less). OC is an inflammatory agent which causes involuntary closure of eyes (open in 2-5 minutes) and respiratory inflammation (subsides in approximately 2 minutes).

- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320, cost: $35, quantity: 20.

The 40mm Direct Impact® munition is a point-of-aim, point-of-impact direct-fire round. An excellent solution whether you need to incapacitate a single subject or control a crowd. When loaded with OC powder, the Direct Impact combines blunt trauma with the effects of an irritant powder, maximizing the potential for incapacitation. The 40mm Direct Impact® munition travels at an average velocity of 305 feet per second (89.9 mps) with an effective range of 5 ft – 120 ft (1.52m – 36.6m). This lightweight, high-speed projectile consists of a plastic body and a crushable foam nose. The orange foam nose indicates that the round contains an OC powder payload. This munition is a point-of-aim, point-of-impact direct fire round which has passed extensive human effects assessments for blunt impact and penetration.

- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, cost: $35, quantity: 20.

The 40mm Direct Impact® munition is a point-of-aim, point-of-impact direct-fire round. An excellent solution whether you need to incapacitate a single subject or control a crowd. When loaded with CS powder, the Direct Impact combines blunt trauma with the effects of an irritant powder, maximizing the potential for incapacitation.

The 40mm Direct Impact® munition travels at an average velocity of 295 feet per second (89.9 mps) with an effective range of 5 ft – 120 ft (1.52m – 36.6m). This lightweight, high-speed projectile consists of a plastic body and a crushable foam nose. The blue foam nose indicates that the round contains a CS powder payload. This munition is a point-of-aim, point-of-impact direct fire round which has passed extensive human effects assessments for blunt impact and penetration. The 40 mm Direct Impact Round is most commonly used by tactical teams in situations where greater accuracy and deliverable energy is desired for the incapacitation of an aggressive, non-compliant subject at longer distances.

- DEFENSE TECHNOLOGY, 40MM POWDER BARRICADE ROUND, OC, #2290, cost: $35, quantity: 20.

The Ferret® 40 mm Barricade Penetrating Round is filled with an OC powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the nose ruptures and instantaneously delivers the agent payload inside a structure or vehicle. Effective range of 50 meters.

- DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE PENETRATOR ROUND CS, #2262, cost: $30, quantity: 20.

A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects. Effective range of 50 meters.

(b) Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situation for use of the less lethal weapon systems may include but are not limited to:

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

(c) Authorized Use: Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents. All other applicable CCPD policies remain in effect to include, but not limited to CCPD Policy 301- Use of Force, CCPD Policy 309- Control Devices and Techniques.

(d) Expected Lifespan:

- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320 – 5 years. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, – 5 years.
- DEFENSE TECHNOLOGY, 40MM POWDER BARRICADE ROUND, OC, #2290, – 5 years.
- DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE PENETRATOR ROUND CS, #2262 – 5 years.

(e) Fiscal Impact:Total allocated budget $1,000-$2,000 annually.

3. PepperBall Launcher (Category 12)

(a) Description, quantity, capabilities, and purchase cost:

- FTC Launcher System that uses high pressure air to deliver PAVA powder projectiles (similar to a paint ball delivery system). System capable of launching projectiles

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

at a subject up to 150'. Non-lethal option to offer law enforcement officers to deliver chemical agents and kinetic energy impacts to subjects in a potentially violent encounter. This is a de-escalation tool used to avoid further injuries or lethal options to a subject. Cost $500, quantity: 4.

- MISSION TPR ORANGE PEPPER BALL GUN. target accurate up to 60Ft, Area Saturation to 0-175ft. Semi-Automatic 8 rd. magazine, deploys at 300ft. per second. Cost $350-$400. Quantity: 6.
- PepperBall Live SD Projectiles,.68 Caliber PAVA Powder. This projectile is best for direct impact or area saturation. Discharged form a PepperBall launcher, the projectile has a velocity of 280-425 FPS. The projectile has a direct impact of 60 ft and an area saturation of 150+ft. The projectile contains 2.0% PAVA powder. Cost: $250 per 90 rounds

(b) Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. 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.

(c) Authorized Use: Only those officers who have been trained in the use of the PepperBall launchers are authorized to use the PepperBall launchers. All other applicable CCPD policies remain in effect to include, but not limited to CCPD Policy 301- Use of Force, CCPD Policy 309- Control Devices and Techniques.

(d) Expected Lifespan:

- PepperBall Launcher: No Expiration
- Mission TPR Launcher: No expiration
- LIVE-SD Projectile: 1 year

(e) Fiscal Impact:

- PepperBall FTS Launcher: No fiscal impact or recurring cost
- Live SD Projectile: Approximately $0 - $1,000 annually
- Mission TPR Launcher: $0 to $400 annually

4. Projectile Launch Platforms and Associated munitions (Category 14)

(a) Description, quantity, capabilities, and purchase cost:

PENN ARMS PGL-65 40 PUMP MULTI-LAUNCHER 5" CYL. FIXED STOCK W/ COMBO RAIL.

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

A 40mm pump-action advance magazine drum launcher with a fixed stock and combo rail. It has a six-shot capacity and rifled barrel. The features include: Double-action trigger, trigger lock push button and hammer lock safeties. It will fire standard 40mm less lethal ammunition, up to 5 inches in cartridge length. It will launch a 40MM less lethal round and is only authorized to be used by trained personnel.

- Remington 870 12 ga Less-Lethal Shotgun: Cost $500-$650, quantity 6
- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320, cost: $35, quantity: 20.
- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, cost: $35, quantity: 20.
- DEFENSE TECHNOLOGY, 40MM POWDER BARRICADE ROUND, OC, #2290, cost: $35, quantity: 20.
- DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE PENETRATOR ROUND CS, #2262, cost: $30, quantity: 20.
- CTS Model 2581 Super Sock Bean Bag 12 ga round - Cost $6 a round, quantity 50-100 annually

(b) Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

(c) Authorized Use: Situations for use of the less lethal weapon system may include, but 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 exercised or approved demonstrations.

All other applicable CCPD policies remain in effect, to include, but not limited to, CCPD Policy 301- Use of Force, CCPD Policy 309- Control Devices and Techniques.

(d) Expected Lifespan:

- 40 mm Launcher- No expiration
- Remington 870 Bean Bag Less Lethal shotgun- No expiration
- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320 – 5 years.
- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, – 5 years.
- DEFENSE TECHNOLOGY, 40MM POWDER BARRICADE ROUND, OC, #2290, – 5 years.
- DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE PENETRATOR ROUND CS, #2262 – 5 years.

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

- CTS Model 2581 Super Sock- 5 years

(e) Fiscal Impact:

- 40mm Launcher, estimated between $0 - $1000 annually
- Remington 870 less lethal shotgun, estimated between $0 - $1000 annually.
- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320, $0 - $250 annually
- DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, $0 - $250 annually
- DEFENSE TECHNOLOGY, 40MM POWDER BARRICADE ROUND, OC, $0 - $250 annually
- DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE PENETRATOR ROUND CS, $0 - $250 annually
- CTS Model 2581, estimated between $0 - $500 annually

710.5 APPROVAL

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

(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 Crescent City Police 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.

710.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment being used in this jurisdiction by members of the Crescent City Police Department shall comply with the City of Crescent City's approved military equipment policy.

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department

During times of mutual aid or when utilizing a Regional SWAT Team, allied agencies and their personnel should only use military equipment which is approved for use in the allied agencies' own military equipment policy. This shall not prevent Crescent City Police Officers who may become members of a Regional SWAT Team from deploying military equipment approved by the Regional SWAT Team for use by Crescent City Police Officers who are assigned to the SWAT Team. Nothing in this policy shall prohibit the use of unapproved military equipment by members of the Crescent CityPolice Department or its allied agencies during times of exigent circumstances.

710.7 ANNUAL REPORT

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

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

710.8 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 military equipment.

Copyright Lexipol, LLC 2026/04/15, All Rights Reserved.
Published with permission by Crescent City Police Department