

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 22, 2022

The Regents of the University of California met on the above date at the Price Center, San Diego campus and by teleconference meeting conducted in accordance with California Government Code §§ 11133.

Members present: Regents Anguiano, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Pouchot, Reilly, Sherman, Sures, Thurmond, and Timmons

In attendance: Regents-designate Ellis, Raznick, and Tesfai, Faculty Representatives Cochran and Steintrager, Interim Secretary and Chief of Staff Lyall, General Counsel Robinson, Provost Brown, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Senior Vice President Colburn, Vice President Brown, Chancellors Block, Christ, Gillman, Hawgood, Khosla, May, Muñoz, and Wilcox, and Recording Secretary Li

The meeting convened at 12:05 p.m. with Chair Leib presiding.

1. PUBLIC COMMENT

Chair Leib explained that the public comment period permitted members of the public an opportunity to address University-related matters. The following persons addressed the Board concerning the items noted.

- A. Adam Cooper, UC San Diego graduate student, expressed concern that UCSD was giving space to Sempra, an energy company that fracked methane gas, to develop a hydrogen-methane energy source that would be tested where there was graduate and family housing. He stated that burning this fuel would still emit carbon dioxide, be dangerous to Californians in the Central Valley, and enrich the fossil fuel industry. He asked that UCSD stop this project.
- B. Catherine Cobb, President of Teamsters Local 2010, called for a fair labor contract. Teamsters members were among the lowest paid UC workers, and pay increases were being eroded by rising costs and retirement contributions. Members needed an agreement that preserved remote work, and their work should not be subject to outsourcing and misclassification. Ms. Cobb also called for an end to bullying and harassment of members by management.
- C. Linda Michelle Weinberger, UC Irvine Library Assistant and member of Teamsters Local 2010, stated that she has had no salary step increase in over two decades, and despite her expertise was still one of the lowest-paid workers. She noted that UC Irvine paid some of the lowest wages in the system. She shared that two-thirds of her pay went to rent, and she did not wish to go back into debt.

- D. Sky Yang, President of the Associated Students of UCSD, asked the Regents to set a date to provide a systemwide four-year housing guarantee. He emphasized the importance of housing to student success and stated that on-campus housing helped students remain socially engaged and maintain a sense of community.
- E. Dianna Sahhar, UC Irvine staff member and member of Teamsters Local 2010, asked that staff be paid what they are worth. She stated that UC has refused to add more salary steps for library assistants. Having worked at the library for 32 years, Ms. Sahar has been at the top salary step for her position since 2006, and pay increases were being eroded by increasing healthcare costs, parking costs, and retirement contributions. She emphasized the importance of library staff to a university.
- F. David Witzling, UC alumnus, spoke in support of UCLA joining the Big Ten conference. He stated that flagship UC campuses had an opportunity to join two premier conferences and make a national impact. He stated that geographic diversity would make UC student athletes more culturally competent, and that Big Ten members were major research universities with strong academic reputations.
- G. Kristin Turner, Executive Director of Pro-Life San Francisco, asked Chancellor Hawgood to meet with Pro-Life San Francisco regarding UCSF's research policies. She intimated that UCSF committed federal crimes and claimed that its abortion procedures had an over 50 percent likelihood of resulting in a fetus being born alive. She also stated that UCSF lacked protocol in the event that a fetus is born alive.
- H. Aaron Hurley, pro-life activist, stated that Governor Newsom committed blasphemy when he compared abortion to loving one's neighbor. He cited passages of the Bible in disagreement and stated that Jesus was once a fetus.
- I. Jason Rabinowitz, Secretary-Treasurer of Teamsters Local 2010, called on UC to make fair proposals during labor negotiations and provide increases that adequately compensate workers. About 12,000 members were bargaining for a new contract. Members have been working hard through the COVID-19 pandemic to keep UC operational and successful, and the cost of food, housing, and gas has increased.
- J. Craig Walterscheid, pro-life activist, called for an end to alleged human organ harvesting occurring at UCSF. He compared UCSF research to the human experimentation performed by Josef Mengele at Auschwitz and stated that the campus would be subject to prosecution for crimes against humanity.
- K. Lori Hurley, representative of Survivors of the Abortion Holocaust, requested a meeting with Chancellor Hawgood to discuss alleged unethical research practices at UCSF. She stated that fetal organ harvesting was linked to pharmaceutical companies and that babies were being tortured.

- L. Jocabed Torres Bernal, UC Berkeley student and member of Pro-Life San Francisco, asked that Chancellor Hawgood meet with Pro-Life San Francisco. She stated that the National Institutes of Health was funding fetal organ harvesting at UCSF and that there were other, more ethical research alternatives.
- M. Anastasia Rogers, San Francisco resident, asked Chancellor Hawgood to meet with pro-life activists. She stated that fetuses of up to 24 weeks' gestation, which could survive outside of the womb, were being killed for UCSF research. She noted the cruelty of transplanting human tissues into mice for research purposes.
- N. Robert Byrd, member of Pro-Life San Francisco, asked Chancellor Hawgood to meet with Pro-Life San Francisco. He expressed outrage regarding UCSF research practices and the alleged lack of transparency surrounding compliance with State and federal law. He stated that UCSF was designing studies that required a continuous supply of fetal tissues, and that UCSF was creating a dependency on low-income pregnant individuals who were pressured to undergo abortion.
- O. Mason, speaking on behalf of Tim Clement of Survivors of the Abortion Holocaust, asked Chancellor Hawgood meet with pro-life activists. He stated that UCSF was creating humanized mice, which was unethical, unbelievable, and the stuff of science fiction. He stated that these practices were encouraging similar practices in Asia and allowed for the transfer of viruses.

2. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Upon motion duly made and seconded, the minutes of the meetings of July 20 and 21, 2022 were approved, Regents Anguiano, Blas Pedral, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Ortiz Oakley, Park, Pouchot, Reilly, Sherman, Sures, Thurmond, and Timmons voting "aye" and Regents Chu and Matosantos abstaining.¹

3. **REMARKS FROM STUDENT ASSOCIATIONS**

President Drake introduced new UC Student Association (UCSA) President Alexander Niles, a fourth-year student at UC Santa Barbara majoring in the history of law and public policy. He was also serving as the External Vice President for Statewide Affairs of the Associated Students of UCSB.

Mr. Niles shared how his experiences contributed to how much he valued public education. He grew up in a rural community in the Santa Cruz Mountains and attended small public schools that provided a good education but struggled with resources. The community rallied many times to pass school bond measures and to cover funding shortfalls. He reflected on the efforts of students to improve the University. Student advocacy resulted in the full funding of Student Academic Preparation and Educational Partnerships programs, as well as the passage of Assembly Bills 928 and 1111. Previously, students successfully

¹ Roll call vote required by the Bagley-Keene Open Meeting Act [Government Code §11123(b)(1)(D)] for all meetings held by teleconference.

advocated for funding UC's rapid rehousing program; resource centers for undocumented students, formerly incarcerated students, and former foster youth; immigrant legal services, basic needs, and mental health services. Advocacy from students of all the segments of California higher education led to the expansion of the Cal Grant to over 150,000 students. Students also called attention to equity gaps in UC's COVID-19 pandemic response. In the event of an economic recession, UC must not reverse course on basic needs funding, financial aid, and fair contracts with workers. Students should be consulted in spending decisions, and dollars from Governor Newsom's five-year funding compact should be used to protect accessibility, basic needs, and affordable housing. The University's pandemic response must be sensitive to the needs of disabled students, and in light of the overturning of *Roe v. Wade*, UC must ensure access to reproductive healthcare, secure funding for free menstrual products on campuses, and ensure affordable travel to receive care not provided on campus. Mr. Niles stated that, addition to initiatives like the Native American Opportunity Plan, UC must also end its involvement with the Thirty Meter Telescope project on Mauna Kea so as not to cause more harm. Students were not confident that the current implementation of the UC Community Safety plan would lead to safer communities. Mr. Niles called for impactful, transparent consultation with students.

President Drake introduced UC Graduate and Professional Council (UCGPC) President Hayden Schill.

Ms. Schill shared the concerns of graduate and professional students related to governance and oversight. She noted inequality in the relationship between graduate student researchers and advisors. Students were responsible for producing high-quality data and depended on advisors for funding, degree progress, and career prospects. They were highly susceptible to abuse and exploitation by their advisors and had few satisfactory avenues for recourse. Toxic advising and mentorship abuse, such as yelling, throwing things, holding visa status against students, and dismissing mental health diagnoses, was a systemwide issue. Good mentorship was not incentivized in the hiring, research, and tenure review processes. UCGPC urged UC to accept anti-bullying protections for the Student Researchers United-UAW labor contract or to incorporate them into systemwide policy. Ms. Schill called for a systemwide policy governing the establishment of partnerships with fossil fuel companies that required a review process and input from faculty, students, and staff. She cautioned that continuing to accept funding from these companies, allowing them to accept UC climate research funding, or continuing partnerships with these companies with no oversight made UC complicit in the climate crisis and would be increasingly detrimental to the University's reputation. She stated that Chevron and Shell were using the UC brand to "greenwash" their operations. The policies and procedures for accepting money from tobacco companies should apply to money from fossil fuel companies. Ms. Schill also suggested broadening the scope of the Pathways to Fossil-Free Task Force to include research, education, and oversight as well.

4. **PRESIDENT'S OUTSTANDING STUDENT AWARD**

President Drake stated that the winners of this year's President's Award for Outstanding Student Leadership had carried out impressive work on climate change, supporting the

University's ambitious climate goals. He introduced Deniss Martinez, a Ph.D. student in ecology at UC Davis who has worked collaboratively to bridge ecological sciences, cultural forest stewardship, and social justice and equity. She has researched forest management policies and the restoration of cultural fire practices in indigenous communities.

Chancellor May congratulated Ms. Martinez on behalf of UC Davis and commended her drive to empower those from underrepresented communities. He praised her impressive academic work in ecology, particularly her focus on reducing fuels for wildfire through the restoration of indigenous forest stewardship. Chancellor May also recognized Ms. Martinez's determination to shape policy making in the state and her efforts toward environmental equity and social justice.

Ms. Martinez thanked President Drake and Chancellor May, as well as her family, her cohort at the Health Policy Research Scholars fellowship, and her mentors at UC Davis. She paid tribute to her mentors and elders from indigenous communities throughout the state for teaching her how to love and care for the land and for giving her hope.

President Drake introduced Karly Hampshire, a medical student at UCSF and co-founder and co-director of the Planetary Health Report Card (PHRC). This tool helped advance sustainability and accountability in health professional schools in seven countries, catalyzing curricular changes and sustainability initiatives. It drove UCSF toward becoming a cleaner, more equitable, and more planet-friendly medical school.

Chancellor Hawgood stated that, through PHRC, Ms. Hampshire has brought together an international team of students and faculty. It was actively applied at 80 medical schools in seven countries. As an undergraduate student, Ms. Hampshire worked with refugee and immigrant populations and became increasingly aware of climate change driving conflict and displacement. Chancellor Hawgood praised her innovative thinking, ability to spur actions at both local and international levels, and pursuit of creative solutions to achieve UC climate action goals. Previously, Ms. Hampshire served as the first fellow of the UC Center for Climate Health and Equity and received the Emerging Physician Leader Award from Healthcare Without Harm. Ms. Hampshire was inspired to found PHRC given the impact of the 2018 wildfire season and gaps in the medical school curriculum regarding climate change and health.

Ms. Hampshire thanked President Drake, the selection team, her mentor, as well as her classmates for nominating her. She founded PHRC to advocate for greater institutional engagement with planetary health around the world, and to translate the complexities of climate action into tangible metrics and opportunities. She thanked all those who have supported this work. Much needed to be done, and she hoped to continue working with UC and the Center for Climate, Health and Equity on these endeavors.

5. REGENTS FOSTER YOUTH AWARD

Chair Leib began his remarks by thanking former Regent Jamal Muwwakkil for conceiving the idea of honoring former or current foster youth who succeed academically and

contribute to the University. The selection committee, who included Regent Reilly and former Regent Alexis Atsilvsgi Zaragoza, decided to give an award to an undergraduate student and a graduate student. Chair Leib introduced Mary Tran, a UCLA undergraduate student who founded Simply Friends, an organization that sought to serve as a positive influence on foster youth, and who became a court-appointed education rights holder for two foster youth. The youngest member on the Foster Care Legal Network board of directors, Ms. Tran promoted Vietnamese culture at UCLA and reached out to Southeast Asian high school students and their families regarding higher education.

Chancellor Block stated that Ms. Tran has done much to expand educational access in underserved communities. She was a fourth year student studying human biology, Asian languages, and disabilities studies, and conducted neurobiology research at the UCLA School of Medicine. She co-authored a research paper in the acclaimed scientific journal *Neuron*. Chancellor Block stated that Simply Friends aimed to create a stronger support network for those in the foster care system. Ms. Tran has helped prospective students and their parents understand the value of a UC education and access resources.

Ms. Tran thanked Chancellor Block for his introduction and to the Regents for this inaugural award. She expressed her gratitude to former Regent Muwwakkil for his advocacy on behalf of foster youth. She looked forward to continued efforts by the Regents, UCLA, and the University to support former foster youth.

Chair Leib introduced William Carter, a doctoral student in geography and Fulbright Scholar at UC Berkeley. The town hall he organized for former foster youth graduate students led to a more inclusive definition of foster youth, one that included those who grew up with guardians and without the support of family. Mr. Carter was involved in the Berkeley Hope Scholars program for current and former foster youth, and he also advocated for neurodivergent, disabled students.

Chancellor Christ stated that, as a Fulbright Scholar and a geography Ph.D. student, Mr. Carter brought new insights to Black geography, his field of study. He has been a persistent advocate for the needs those in the Berkeley Hope Scholars program and for graduate students with disabilities. Mr. Carter's work helped UC Berkeley identify and address crucial gaps in outreach services and funding.

Mr. Carter recalled the anger he felt at five years of age, when he believed that his family lacked the education and resources to advocate for him if he had been murdered as Stephen Lawrence, the victim of a racist attack in 1990s Britain, had been. He noted that many guardian programs have exclusively served undergraduate students, and he challenged the University to extend access to these programs to graduate students.

Chair Leib acknowledged Regent Makarechian's longtime support of foster youth. He stated that then Regents Muwwakkil, Christine Simmons, and Charlene Zettel helped establish a foster youth program for which the State has provided funding.

Regent Reilly congratulated the recipients of the award and stated that it was a privilege for the selection committee to read the applications. Many Regents contributed to the award amount. Regent Reilly expressed hope that the Regents would be able to double the number of recipients selected next year. Chair Leib thanked Regent Reilly for her leadership.

The Board recessed at 12:40 p.m.

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The Board reconvened at 1:40 p.m. with Chair Leib presiding.

Members present: Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sherman, Sures, and Timmons

In attendance: Regents-designate Ellis and Raznick, Faculty Representatives Cochran and Steintrager, Interim Secretary and Chief of Staff Lyall, General Counsel Robinson, Provost Brown, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President Byington, Executive Vice President and Chief Operating Officer Nava, Senior Vice President Colburn, Vice Presidents Brown and Gullatt, Chancellors Block, Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

6. OVERVIEW AND DISCUSSION OF UNIVERSITY OF CALIFORNIA DELEGATIONS OF AUTHORITY

[Background material was provided to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Chair Leib noted that this discussion pertained to future decision-making and was not related to the question of UCLA joining the Big Ten conference.

Managing Counsel Maria Shanle provided an overview on the University's existing governance regarding delegations of Authority. Article IX, Section 9 of the California Constitution provided the Board with authority over the governance of the University, and the Board may "delegate to its committees or to the faculty of the university, or to others, such authority or functions as it may deem wise." It was important for the Board to reserve authority over matters of the highest significance to the University, but delegations of authority could permit the Board to focus its energies on strategic matters instead of routine transactions. The Board has delegated authority to the President and the chancellors to manage the affairs of the University, and the President has delegated authority to the chancellors, using letters of delegation. The Board has also delegated authority to the principal officers of the Regents—the Secretary and Chief of Staff, General Counsel, Chief Compliance and Audit Officer, and the Chief Investment Officer—and to the Academic Senate. The Board has delegated authority to Board leadership to act via interim action, which was reported to the Board but did not require further action by the Board. The Board delegated authority to the Health Services Committee to act on specified UC Health

executive compensation matters and health business transaction matters without action by the full Board. The Board has reserved authority to act on matters such as approving the UC budget, tuition levels, campus long range development plans, and the appointment of chancellors. In some subject matter areas, the Board has delegated authority over transactions without specific triggers that would require Board action, regardless of their dollar value. Those matters were governed by University policies and administrative controls. In some cases, the Board has delegated authority over transactions up to a certain threshold. Capital project budgets over \$70 million and litigation settlement agreements over \$1 million required approval by the Regents. Ms. Shanle referred to a chart of Board action triggers in the written materials. Some triggers were stated in dollar values, others in percentages, or qualitative terms.

General Counsel Robinson presented two questions to consider while developing a policy. First, he asked about the Board's position with regard to conflicting sentiments that were expressed during the Special Meeting in August. One sentiment was that the delegations needed no change; rather, the expectations of the Regents should be made clear. The contrasting sentiment was that there should be no delegation. The second question was whether the Board would prefer only financial triggers over subjective triggers, given that there was concern that triggers proposed in August might be too ambiguous to apply.

Chair Leib recalled that, in August, Mr. Robinson had asked the Board whether to change certain delegations from the chancellors to the President. Mr. Robinson stated that, in that proposal, the President would retain authority but would not be able to re-delegate authority to the chancellors. The President would be required to inform Board leadership that a decision was pending. The proposed policy would apply when the decision had a material, adverse impact, and when the transaction raises significant question of UC policy, likely to pose a significant risk of reputational harm, or is too ambiguous to apply. "Material" would be defined as ten percent of the athletic budget.

Regent Makarechian noted that the term "significant" was used in multiple places including Bylaw 30. He asked if the President determined what was "significant" or if the term was defined. Mr. Robinson replied that both were true. The President had broad authority but, per Bylaw 30, was also required to keep the Board informed of significant developments. Other delegations had more specific triggers.

Regent Makarechian asked who determined what is significant. Mr. Robinson stated that, except in areas with specific triggers or delegations, the President determined what is significant. Regent Makarechian opined that such wording is vague. He stated his understanding that the President's decision was final. Mr. Robinson replied that the President's decision was not final because the Regents still retained any authority they delegated. In response to another comment by Regent Makarechian, Mr. Robinson explained that, while the Regents had the authority to review and potentially reverse a decision, there could be consequences associated with a reversal.

Regent Makarechian, referring to Regents Policy 8103: Policy on Capital Project Matters, stated that he was unaware that the \$70 million trigger also applied to acquisitions.

Ms. Shanle stated that Regents Policy 8103 covered a range of capital project matters, including planning, budget, and real estate transactions. Each transaction type had a specific threshold, delegation, or non-delegation. The \$70 million threshold applied to capital budget approvals.

Regent Makarechian stated his understanding that the disposition of any University assets and acquisition of land or buildings was decided by the Regents. He asked for examples of acquisitions up to \$70 million which were not brought before the Regents.

Regent Makarechian suggested that the Regents review acquisition and disposition of property. Mr. Robinson offered to examine the question and return to the Regents with more information. Chair Leib suggested that these issues and feedback from this discussion should first be considered by the Governance Committee.

Regent Timmons stated that an understanding of how “strategic importance” is defined would be helpful, since the Regents also did not delegate matters of strategic importance.

Regent-designate Ellis noted that this delegation was originally crafted in 1981 and that much has changed in college athletics in the last several years. It was incumbent upon the Regents to examine policies and delegations on a regular basis, and to be more proactive than reactive. He acknowledged that there were many governing documents that would take much staff time to review. A campus’ independent decision could have ramifications for other campuses. He believed that some decisions should be made at the systemwide level.

Regent Chu suggested that, prior to the discussion in the Governance Committee, President Drake survey his administrative team about the thresholds that should be changed because they inhibited the University’s ability to act quickly or were attached to matters that did not require strategic guidance from the Regents.

7. UPDATE ON IMPLEMENTATION PROGRESS OF UC COMMUNITY SAFETY PLAN

[Background material was provided to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

This item was deferred.

8. COMMITTEE REPORTS INCLUDING APPROVAL OF RECOMMENDATIONS FROM COMMITTEES

Chair Leib stated that Chairs of Committees and Special Committees that met the prior day and off-cycle would deliver reports on recommended actions and items discussed, providing an opportunity for Regents who did not attend a particular meeting to ask questions.

Report of the Academic and Student Affairs Committee

The Committee presented the following from its meeting of September 21, 2022:

A. ***Enhancing Student Transfer: CCC-UC Transfer Task Force Final Report***

The Committee recommended that the Regents accept the CCC-UC Transfer Task Force Final Report.

B. ***University of California Dual Admission Pilot Program***

This item was not summarized.

C. ***Update on Eligibility in the Local Context***

This item was not summarized.

D. ***“LIFTED”: The University of California’s First In-Prison Bachelor of Arts Program***

Regent Park invited Regents to read more about the LIFTED program.

E. ***Climate Change: The Research Imperative***

Regent Park reported that the Committee heard a presentation on the \$100 million in climate action research seed and matching grant funds from the State.

Upon motion of Regent Park, duly seconded, the recommendation of the Academic and Student Affairs Committee was approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, Thurmond, and Timmons voting “aye.”

Report of the Compliance and Audit Committee

The Committee presented the following from its meeting of September 21, 2022:

University of California Compliance with State Assembly Bill 481

The Committee recommended approval of the military equipment use policy and list of equipment in Attachments 1 and 2, in order to comply with California Assembly Bill 481.

Regent Sures reported that the Committee heard a presentation by Systemwide Director of Community Safety Jody Stiger regarding campus use of what has been designated “military equipment” per State Assembly Bill 481. The Committee was provided an inventory of what items UC used and which campuses used them.

Upon motion of Regent Sures, duly seconded, the recommendation of the Compliance and Audit Committee was approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, Thurmond, and Timmons voting “aye.”

Report of the Finance and Capital Strategies Committee

The Committee presented the following from its meeting of September 21, 2022:

A. ***Budget, Scope, External Financing, and Design Following Action Pursuant to the California Environmental Quality Act, Academic Replacement Building, Berkeley Campus***

The Committee recommended that:

- (1) The 2022–23 Budget for Capital Improvements and Capital Improvement Program be amended as follows:

From: Berkeley: Academic Replacement Building – study and preliminary plans – \$7.1 million to be funded from external financing supported by State appropriations under the provisions of Section 92493 et seq. of the California Education Code.

To: Berkeley: Academic Replacement Building – study, preliminary plans, working drawings, construction, and equipment – \$136,823,000 to be funded by external financing supported by State appropriations under the provisions of Section 92493 et seq. of the California Education Code (\$123,823,000) and campus funds (\$13 million).

- (2) The scope of the Academic Replacement Building project be approved. The project shall provide an academic building of approximately 78,000 gross square feet (45,800 assignable square feet (asf)) comprised of office space (12,500 asf); classrooms (32,300 asf); and other support and shared spaces to support occupants (1,000 asf); and public realm and circulation improvements, including landscape and public gathering spaces around the site on Campanile Way, Grade Street, Frank Schlessinger Way, and Spieker Plaza. The make-ready scope shall include extension of campus power to the site.
- (3) The President of the University shall be authorized to obtain external financing in an amount not to exceed \$123,823,000 plus related interest expense and additional related financing costs to finance the project. The President shall require that the Berkeley campus satisfy the following requirements:

- a. Interest only, based on the amount drawn, shall be paid on the outstanding balance during the construction period.
 - b. The primary source of repayment shall be from State appropriations, pursuant to the Education Code Section 92493 et seq. Should State appropriation funds not be available, the President shall have the authority to use any legally available funds to make debt service payments.
 - c. The general credit of the Regents shall not be pledged.
- (4) Following review and consideration of the environmental consequences of the Academic Replacement Building project as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff to the Regents no less than 48 hours in advance of the beginning of this Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Regents:
- a. Adopt the CEQA Findings for the Academic Replacement Building project, having considered both the UC Berkeley 2021 Long Range Development Plan and Housing Project #1 and #2 Environmental Impact Report (2021 LRDP EIR) and Addendum #3 to the 2021 LRDP EIR for the Academic Replacement Building.
 - b. Make a condition of approval the implementation of applicable Mitigation Measures and Continuing Best Practices within the responsibility and jurisdiction of UC Berkeley as identified in the Mitigation Monitoring and Reporting Program adopted in connection with the 2021 LRDP and Housing Project #1 and #2 EIR.
 - c. Approve the design of the Academic Replacement Building project, Berkeley campus.

B. *Budget, Scope, Standby Financing, and Design Following Action Pursuant to the California Environmental Quality Act, Bechtel Engineering Center Renovation and Addition, Berkeley Campus*

The Committee recommended that:

- (1) The 2022–23 Budget for Capital Improvements and Capital Improvement Program be amended as follows:

From: Berkeley: Bechtel Engineering Center Renovation and Addition – preliminary plans – \$5.9 million to be funded from gift funds.

To: Berkeley: Bechtel Engineering Center Renovation and Addition – preliminary plans, working drawings, construction, and equipment – \$92.35 million to be funded by gift funds.

- (2) Standby financing be approved in an amount not to exceed \$18 million plus related interest expense and additional related financing costs to finance the Bechtel Engineering Center Renovation and Addition project. The Berkeley campus shall satisfy the following requirements:
 - a. Interest only, based on the amount drawn, shall be paid on the outstanding balance during the construction period.
 - b. Repayment of any debt shall be from gift funds. As gifts are received, the campus will reimburse the standby financing in a timely fashion. If gift funds are insufficient and some or all of the debt remains outstanding, then campus funds shall be used to pay the debt service and meet the authorized financing requirements.
 - c. As long as the debt is outstanding, the general revenues of the Berkeley campus shall be maintained in amounts sufficient to pay the debt service and to meet the related requirements of the authorized financing.
 - d. The general credit of the Regents shall not be pledged.
- (3) The scope of the Bechtel Engineering Center Renovation and Addition project be approved. The project shall provide approximately 82,700 gross square feet (58,315 assignable square feet (asf)) of new and renovated space to address student support services and collaboration space needs, including office space (4,825 asf); collaboration and meeting space (18,630 asf); library space (22,210 asf); auditorium space (2,530 asf); general use space (1,530 asf); and flexible surge space (8,590 asf). Public realm improvements shall include expanded terrace and plaza spaces for studying and collaboration, and improved wayfinding and circulation. The project would also address deferred maintenance, including upgrades to mechanical systems, replacement of waterproofing, façade repairs, and removal of architectural barriers to accessibility.
- (4) Following review and consideration of the environmental consequences of the Bechtel Engineering Center Renovation and Addition project as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff to the Regents no less than 48 hours in advance of the beginning of this Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Regents:

- a. Adopt the CEQA Findings for the Bechtel Engineering Center Renovation and Addition project, having considered both the UC Berkeley 2021 Long Range Development Plan and Housing Project #1 and #2 Environmental Impact Report (2021 LRDP EIR) and Addendum #2 to the 2021 LRDP EIR for the Bechtel Engineering Center Renovation and Addition project.
 - b. Make a condition of approval the implementation of applicable Mitigation Measures and Continuing Best Practices within the responsibility and jurisdiction of UC Berkeley as identified in the Mitigation Monitoring and Reporting Program adopted in connection with the 2021 LRDP and Housing Project #1 and #2 EIR.
 - c. Approve the design of the Bechtel Engineering Center Renovation and Addition project, Berkeley campus.
- C. ***Amendment of Preliminary Plans Funding and External Financing for the Entire Project; Working Drawings and Construction Funding, Scope, and Design Following Action Pursuant to the California Environmental Quality Act for the Site and Make-Ready Work Portion of the Project; Parnassus Research and Academic Building and West Campus Site Improvements, San Francisco Campus***

The Committee recommended that:

- (1) The 2022–23 Budget for Capital Improvements and the Capital Improvement Program be amended to include the following project:
 - From: San Francisco: Parnassus Research and Academic Building and West Campus Site Improvements – preliminary plans – \$32 million funded from campus funds.
 - To: San Francisco: Parnassus Research and Academic Building and West Campus Site Improvements – preliminary plans with working drawings, and construction for the Site and Make Ready Work portion – \$98.4 million funded from external financing.
- (2) The scope of the Site and Make-Ready Work portion for the Parnassus Research and Academic Building and West Campus Site Improvements project be approved, including exterior abatement and demolition of UC Hall (148,000 gross square feet), site stabilization and shoring, relocation of utility infrastructure, securing site perimeter with fencing and rerouting pedestrian traffic, and ordering of long-lead-time items and materials (e.g., select mechanical and electrical equipment, structural steel and other raw materials).
- (3) The President of the University be authorized to obtain external financing for

the Parnassus Research and Academic Building and West Campus Site Improvements project in an amount not to exceed \$98.4 million plus additional related financing costs. The President shall require that:

- a. Interest only, based on the amount drawn, shall be paid on the outstanding balance during the construction period.
- b. As long as the debt is outstanding, the general revenues of the San Francisco campus shall be maintained in amounts sufficient to pay the debt service and to meet the related requirements of the authorized financing.
- c. The general credit of the Regents shall not be pledged.

- (4) Following review and consideration of the environmental consequences of the proposed Site and Make-Ready Work portion of the Parnassus Research and Academic Building and West Campus Site Improvements project, as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff to the Regents no less than 48 hours in advance of the beginning of the Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Regents:

- a. Adopt the CEQA Findings for the Site and Make-Ready Work portion of the Parnassus Research and Academic Building and West Campus Site Improvements project.
- b. Make a condition of approval the implementation of applicable mitigation measures within the responsibility and jurisdiction of the San Francisco campus as identified in the Mitigation Monitoring and Reporting Program adopted in connection with the Comprehensive Parnassus Heights Plan Final Environmental Impact Report.
- c. Approve the design of the Site and Make-Ready Work portion of the Parnassus Research and Academic Building and West Campus Site Improvements project.

- (5) The President, in consultation with the General Counsel, be authorized to execute all documents necessary in connection with the above.

D. ***Preliminary Discussion of the University's 2023–24 Operating Budget***

Regent Cohen stated that Governor Newsom's five-year funding compact provided the framework for UC's budget. He called attention to the possibility of declining State revenues and a budget shortfall in the future.

Upon motion of Regent Cohen, duly seconded, the recommendations of the Finance and Capital Strategies Committee were approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, Thurmond, and Timmons voting "aye."

Report of the Governance Committee

The Committee presented the following from its meeting of September 21, 2022:

A. ***Approval of Appointment of and Compensation for Douglas Haynes as Vice Provost, Academic Personnel and Programs, Office of the President as Discussed in Closed Session***

The Committee recommended approval of the following items in connection with the appointment of and compensation for Douglas Haynes as Vice Provost, Academic Personnel and Programs, Office of the President:

- (1) Per policy, appointment of Douglas Haynes as Vice Provost, Academic Personnel and Programs, Office of the President, at 100 percent time.
- (2) Per policy, an annual base salary of \$373,600.
- (3) Per policy, standard pension and health and welfare benefits and standard senior management benefits, including eligibility for senior management life insurance upon start date and eligibility for executive salary continuation for disability after five consecutive years of Senior Management Group service.
- (4) Reimbursement of actual and reasonable moving and relocation expenses associated with relocating Mr. Haynes's primary residence subject to the limitations under Regents Policy 7710, Senior Management Group Moving Reimbursement. If Mr. Haynes voluntarily separates from this position prior to completing one year of service or accepts an appointment at another University of California location within 12 months from his initial date of appointment, he will be required to pay back 100 percent of these moving and relocation expenses.
- (5) Per policy, eligibility to participate in the UC Employee Housing Assistance Program, subject to all applicable program requirements.

- (6) Per policy, continued eligibility to accrue sabbatical credits as a member of the tenured faculty, consistent with academic personnel policy.
- (7) Per policy, if Mr. Haynes maintains an active research program during his appointment as Vice Provost, Academic Personnel and Programs, the University will provide an annual allocation of \$10,000 in Office of the President (UCOP) funding to him for his research program for the duration of his appointment as Vice Provost, Academic Personnel and Programs. He may use these funds in any manner consistent with policies and that supports his research needs. Unexpended funds remaining at the date of the end of his appointment as Vice Provost, Academic Personnel and Programs would still then be available to him for subsequent use if he remains a member of the faculty of the University.
- (8) Mr. Haynes will comply with the Senior Management Group Outside Professional Activities (OPA) policy and reporting requirements.
- (9) This action will be effective on Mr. Haynes's start date, which is estimated to be on or about October 3, 2022.

The compensation described above shall constitute the University's total commitment until modified by the Regents or President, as applicable under Regents policy, and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

B. *Approval of Salary Increase for Michael Brandt as Deputy Laboratory Director for Operations and Chief Operating Officer, Lawrence Berkeley National Laboratory as Discussed in Closed Session*

The Committee recommended approval of the following items in connection with a salary increase for Michael Brandt as Deputy Laboratory Director for Operations and Chief Operating Officer, Lawrence Berkeley National Laboratory:

- (1) Per policy, a five percent (\$22,722) market-based salary adjustment increasing Mr. Brandt's base salary from \$454,488 to \$477,210 as Deputy Laboratory Director for Operations and Chief Operating Officer, Lawrence Berkeley National Laboratory, at 100 percent time.
- (2) Per policy, continuation of standard pension and health and welfare benefits and standard senior management benefits including eligibility for Senior Manager Life Insurance and after five consecutive years of Senior Management Group service, eligibility for Executive Salary Continuation for Disability.

- (3) Per policy, continuation of eligibility to participate in the UC Employee Housing Assistance Program, subject to all applicable program requirements.
- (4) Mr. Brandt will continue to comply with the Senior Management Group Outside Professional Activities (OPA) policy and reporting requirements.
- (5) This action will be effective October 1, 2022.

The compensation described above shall constitute the University's total commitment until modified by the Regents, President, or Laboratory Director, as applicable under Regents policy, and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

C. ***Presentation of Annual Report on Diversity in Campus and Systemwide Executive Searches***

This item was not summarized.

D. ***Dates of 2024 Regents Meetings***

The Committee recommended that the following dates of Regents meetings for 2024 be approved:

2024

January 23-25, 2024
March 19-21, 2024
May 14-16, 2024
July 16-18, 2024
September 17-19, 2024
November 12-14, 2024

Upon motion of Chair Leib, duly seconded, the recommendations of the Governance Committee shown above were approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, Thurmond, and Timmons voting "aye."

E. ***Approval of Incentive Compensation Using Non-State Funds for Fiscal Year 2021–22 for Jagdeep Singh Bachher as Chief Investment Officer and Vice President – Investments, Office of the President as Discussed in Closed Session***

The Committee recommended approval of an incentive award of \$1,422,487 for Plan Year 2021–22, under the Office of the Chief Investment Officer Annual

Incentive Plan (AIP), for Jagdeep Singh Bachher as Chief Investment Officer and Vice President – Investments, Office of the President. The recommended incentive award represents 200 percent of Mr. Bachher’s total salary paid as of the end of the 2021-22 Plan Year of \$711,243.50.

The incentive compensation described above shall constitute the University’s total commitment regarding incentive compensation until modified by the Regents or the President, as applicable under Regents policy, and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Upon motion of Chair Leib, duly seconded, the recommendation of item E above of the Governance Committee was approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Drake, Elliott, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, and Timmons voting “aye” and Regents Cohen, Kounalakis, and Thurmond abstaining.

Report of the Health Services Committee

The Committee presented the following from its meeting of August 17, 2022:

A. ***Update from the Executive Vice President of UC Health***

Regent Sures reported that Executive Vice President Byington presented the Committee with an update regarding COVID-19 and monkeypox.

B. ***Proposed Request for Approval of the Parnassus Research and Academic Building and West Campus Site Improvements, San Francisco Campus***

This item was not summarized.

C. ***Approval of Addition of Quality Performance Metrics Recommended by the University of California Health Clinical Quality Committee to the Clinical Quality Dashboard***

This item was deferred.

D. ***UC Health Fiscal Year 2021–22 Report on Covered Affiliations***

This item was not summarized.

Report of the Investments Committee

The Committee presented the following from its meeting of September 20, 2022:

Review of Performance for Fiscal Year 2021–22 of UC Pension, Endowment, Blue and Gold Pool, Working Capital, and Retirement Savings

This item was not summarized.

Report of the National Laboratories Committee

The Committee presented the following from its meeting of September 21, 2022:

Approval of Use of Capital and Campus Opportunity Fund Monies to Support Development of Childcare Facility for Los Alamos National Laboratory Community

The Committee recommended that the President of the University, or his delegate, be authorized to expend up to \$500,000 of Capital and Campus Opportunity Fund funds to support the development of a childcare facility for the Los Alamos National Laboratory workforce and community. Up to an additional \$1.5 million will be considered by the Regents at a future meeting.

Regent Sures reported that the recommendation originally sought \$2 million, but the Committee approved \$500,000 for the Vice President for National Laboratories to investigate the process and return to the Regents with a more detailed budget when requesting the remainder of the original \$2 million.

Upon motion of Regent Sures, duly seconded, the recommendation of the National Laboratories Committee was approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, and Timmons voting “aye.”

Report of the Public Engagement and Development Committee

The Committee presented the following from its meeting of September 21, 2022:

A. *UC San Diego in the Community*

Regent Reilly reported that this presentation, part of the Committee’s “UC in Your Community” series, highlighted the network of UCSD Community Stations located at the San Diego–Tijuana border. These were collaborative projects between UC and community-based organizations. The Committee heard about UCSD’s aim to provide equitable access to healthcare at UCSD Hillcrest Medical Center.

B. *Federal Governmental Relations Update*

This item was not summarized.

C. *State Governmental Relations Update*

This item was not summarized.

D. *Conversation with Assemblymember Christopher Ward*

Regent Reilly reported that State Assemblymember Christopher Ward and the Committee discussed the ways Regents and State legislators could be helpful to each other. Assemblymember Ward provided his insights on the University and challenges facing California.

Report of the Special Committee on Innovation Transfer and Entrepreneurship

The Special Committee presented the following from its meeting of September 20, 2022:

A. *Update on the Project Plan and Schedule for Replacing the Patent Tracking System (PTS)*

Regent Park reported that the Special Committee learned that the next several months would be critical to understand how the University should progress with a new intellectual property (IP) management system. A consultant was assisting UC with pre-implementation planning.

B. *Update on Innovation and Entrepreneurship Funding Strategies*

Regent Park reported that the Committee learned how proof of concept funds could be used at various campuses. Campus plans would be more specific and additional sources of funding would be identified in the future. A new President's Entrepreneurship Council was in development and aimed to strengthen entrepreneur-mentor networks.

C. *Speaker Series: UC San Diego Professor Stephen Mayfield – California Center for Algae Biotechnology*

Regent Park recommended that Regents view this presentation by UCSD Professor Stephen Mayfield on his journey from research to innovation and entrepreneurship in the field of algae biotechnology.

D. *Enforcement of Intellectual Property Rights by the University of California: License Compliance and Patent Infringement*

Regent Park stated that, according to a third-party report, the University's approach to license compliance and patent infringement was reasonable compared with similar institutions but more refining work could be done. The Special Committee would hear more about implementation from Ethics, Compliance and Audit Services at a future meeting.

Report of the Special Committee on Nominations

The Special Committee presented the following from its meeting of September 21, 2022:

Appointment of Four Regents to Standing Committees and Appointment of Vice Chair of the Finance and Capital Strategies Committee

The Special Committee recommended that:

- A. Regent Batchlor be appointed as a member of the Academic and Student Affairs Committee, effective immediately through June 30, 2023.
- B. Regent Chu be appointed as a member of the Finance and Capital Strategies Committee and the National Laboratories Committee, effective immediately through June 30, 2023.
- C. Regent Matosantos be appointed as a member of the Finance and Capital Strategies Committee, the Compliance and Audit Committee, the Investments Committee, and the National Laboratories Committee, effective immediately through June 30, 2023.
- D. Regent Robinson be appointed as a member of the Finance and Capital Strategies Committee and the Investments Committee, effective immediately through June 30, 2023.
- E. Regent Makarechian be appointed as Vice Chair of the Finance and Capital Strategies Committee, effective September 23, 2022 through June 30, 2023.

Upon motion of Vice Chair Elliott, duly seconded, the recommendation of the Special Committee on Nominations was approved, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Reilly, Sures, and Timmons voting “aye.”

9. **RESOLUTION IN APPRECIATION – ELOY ORTIZ OAKLEY**

Upon motion of Regent Cohen, the following resolution was adopted, Regents Anguiano, Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Kounalakis, Leib, Makarechian, Matosantos, Park, Reilly, Sures, and Timmons voting “aye” and Regent Ortiz Oakley abstaining.

WHEREAS, on the occasion of his retirement from the Board of Regents of the University of California, the members of the Board wish to express their heartfelt appreciation to Eloy Ortiz Oakley for the keen insight, broad experience, and integrity he brought to the deliberations of this body from 2014 to 2022; and

WHEREAS, as a product of the University of California, having earned his bachelor's degree and master's degree of business administration at the University of California, Irvine, he is deeply committed to California public higher education and to UC's mission; and

WHEREAS, he achieved great professional distinction as President of Long Beach City College, Chancellor of the California Community Colleges, and as Special Adviser to the U.S. Secretary of Education, acclaimed nationally for piloting innovative programs to promote student success and in California for creating partnerships to promote transfer and broaden opportunity; and

WHEREAS, in recognition of his passion for access to higher education and for increasing student and faculty diversity, he was recently named as the President and Chief Executive Officer of the College Futures Foundation of California, which aims to help low-income and underrepresented students achieve college success; and

WHEREAS, he has demonstrated great concern for the well-being of the University's students and future students through his dedicated service as Vice Chair of the Academic and Student Affairs Committee, and as a valued member of the National Laboratories and the Public Engagement and Development Committees, on which he served for many years, as well as the Compensation and Finance and Capital Strategies Committees, which have benefited immeasurably from his discernment and thoughtful and incisive questions; and

WHEREAS, in recognition of his devoted service as a member of the Board of Regents of the University of California and secure in the knowledge that he will continue to contribute to the success of the University and to champion the welfare of the students of California, the Regents do hereby confer the title Regent Emeritus upon Eloy Ortiz Oakley;

NOW, THEREFORE, BE IT RESOLVED that the Regents of the University of California express their deep appreciation and admiration for Eloy Ortiz Oakley, who has enriched the University in countless ways as a member of the Board of Regents, extend to Eloy their affectionate best wishes for success in his future endeavors, and direct that a suitably inscribed copy of this resolution be presented to him as an expression of the Board's profound gratitude and friendship.

Regent Cohen stated that it has been an honor to serve alongside Regent Ortiz Oakley. He praised Regent Ortiz Oakley's advocacy of students, as well as the experiment of including a leader from the California Community Colleges system on the Board.

10. **REPORT OF MATERIALS MAILED BETWEEN MEETINGS**

Interim Secretary and Chief of Staff Lyall reported that, on the dates indicated, the following were sent to the Regents or to Committees:

To the Regents of the University of California:

- A. From the President of the University and the Chief Operating Officer, information on the implementation of the University of California Community Safety Plan. July 18, 2022.
- B. From the Interim Secretary and Chief of Staff, an announcement of the Governor of California's higher education appointments to the University of California Board of Regents. July 22, 2022.
- C. From the Associate Vice President, External Relations and Communications, Federal Update, 2022, Issue 7. August 3, 2022.
- D. From the President of the University, information regarding the Hastings' Board of Directors vote to change their name from "Hastings College of the Law" to "College of the Law, San Francisco." August 3, 2022.
- E. From the President of the University, *Annual Report on Health Systems Transactions Approved by the Health Services Committee* for the period from July 1, 2019 to June 30, 2022. August 11, 2022.
- F. From the Interim Secretary and Chief of Staff to the Regents, the Summary of Communications Received for May and June, 2022. August 11, 2022.
- G. From the Chair of the Board, information regarding the Regents Foster Youth Award. August 19, 2022.
- H. From the President of the University, *Annual Report on Self-Supporting Graduate Professional Degree Programs for 2022-23*. August 26, 2022.

To the Members of the Compliance and Audit Committee:

- I. From the President of the University, *2021 Report on Financial Statements and Expenditures of Federal Awards in Accordance with Uniform Guidance*. July 25, 2022.
- J. From the President of the University, *UC Retirement System Compliance Amendments*. September 16, 2022

To the Members of the Governance Committee:

- K. From the President of the University, *2021 Annual Report on Executive Compensation for Deans and Certain Full-Time Faculty Administrators*. July 25, 2022.

To the Members of the Health Services Committee:

- L. From the President of the University, *University of California Medical Centers Reports for the Nine Months Ended March 31, 2022*. July 18, 2022.

To the Members of the Investments Committee:

- M. From the Chief Investment Officer, the University's 2021-22 Investment Returns. August 2, 2022.

To the Members of the Special Committee on Innovation Transfer and Entrepreneurship:

- N. From the President's Office, information on the UC Systemwide Patent Tracking System (PTS): Current Status and Future System. July 21, 2022.

The meeting adjourned at 2:25 p.m.

Attest:

Secretary and Chief of Staff

University of California [campus] Police Department

UC [campus] PD Policy Manual

Military Equipment

1.1 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).

1.1.1 DEFINITIONS

Definitions related to this policy are set forth by Government Code § 7070:

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

Military equipment – Includes:

- 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.

University of California [campus] Police Department

UC [campus] PD Policy Manual

Military Equipment

1.2 POLICY

It is the policy of the University of California [campus] Police Department that members of this Department comply with the provisions of Government Code § 7071 with respect to military equipment.

1.2.1 COMPLIANCE PROCEDURE

The University of California [campus] Police Department will ensure that all Department members comply with this policy and the policies that govern the use of equipment defined as military equipment. The UC [campus] Police Department shall conduct an annual audit. The Chief of Police or their designee will be notified of any policy violation(s). If needed, the violation(s) will be referred to an internal complaint investigation and handled according to UC [campus] Police Department's Personnel Complaint policy. All instances of non-compliance will be reported to the UC Board of Regents as part of the annual military equipment report.

Any member of the public can register a complaint, question, or a concern regarding military equipment use by sending their question via email to [campus email address]. The Chief of Police or their designee will respond in a timely manner.

1.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this Department to function 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 other law enforcement agencies that may use military equipment within the jurisdiction of the University of California [campus] 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).

University of California [campus] Police Department

UC [campus] PD Policy Manual

Military Equipment

1.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the UC Police Departments:

[See attachment UC Police Military Equipment Inventory.pdf](#)

1.5 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 (Government Code § 7071(a)(1)).

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(b)).

The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071(a)):

- (a) Requesting military equipment made available pursuant to 10 U.S.C. § 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.
- (h) This approval is intended to permit the Department to maintain the quantities of military equipment at the quantities that were last approved by the governing body. Accordingly, the Department can engage in any of the activities listed in 905.6(a)-(g) without seeking additional approval as long as the Department does not exceed the pre-approved quantity.
- (i) **MILITARY EQUIPMENT USE CONSIDERATIONS**

- (a) The military equipment acquired and authorized by the Department is (Government Code § 7071(d) (1)):
 - 1. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
 - 2. The military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

University of California [campus] Police Department

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Military Equipment

3. Reasonably cost-effective compared to available alternatives, if any, that can achieve the same objective of officer and civilian safety.
4. Military equipment shall only be used by a Department employee only after applicable training, including any course required by the Commission on Peace Officer Standards and Training, has been completed, unless exigent circumstances exist.

1.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid. Situations may arise where the Department may deploy or use military equipment, as defined, owned by other law enforcement agencies. The Department hereby adopts the military equipment use policy as is approved, and may be amended from time to time, under Government Code section 7070 et seq., for jurisdictions that the Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Department to deploy or use the military equipment of another jurisdiction.

1.7 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 of 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 for the preceding calendar year for each type of military equipment in the Department inventory (Government Code § 7072).

The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (a) A summary of how the military equipment was used and the purpose of its use.
- (b) A summary of any complaints or concerns received concerning military equipment.
- (c) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (d) The total annual cost of 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.
- (e) The quantity possessed for each type of military equipment.
- (f) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

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1.8 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 general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment (Government Code § 7072(b)).

Assembly Bill 481 (AB 481)



Prepared by:
UC COUNCIL OF CHIEFS OF POLICE

SUMMARY

Assembly Bill 481 (AB 481), the Law Enforcement and State Agencies Military Equipment Funding, Acquisition and Use Act, was signed into law and became effective on January 1, 2022. AB 481 requires law enforcement agencies to obtain approval from their governing bodies before purchasing, raising funds for, or acquiring military equipment, by any means, including surplus military equipment from the federal government.

Law enforcement agencies are also required to seek governing body approval before collaborating with another law enforcement agency in the deployment or use of military equipment within the governing body's territorial jurisdiction or before using any new military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.

The Act defines the governing body as “the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff’s department or a district attorney’s office, “governing body” means the board of supervisors of the county.”

AB 481 requires a law enforcement agency seeking to continue the use of any military equipment acquired prior to January 1, 2022, to commence a governing body approval process no later than May 1, 2022, and the adoption of a use policy within 180 days following submission of the use policy or cease the use of the military equipment until it receives approval of the governing body.

In considering the proposed Military Equipment Use Policy, the governing body must place the proposed policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act.

Before seeking the governing body's approval, a law enforcement agency shall make its proposed equipment use policy and any supporting documents available on its internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

The governing body, as part of its approval process, must determine the following:

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

ANALYSIS

The UC Police Department (refers to all ten UC campus police departments) retains and employs various equipment that falls within AB 481's definition of "military equipment." The equipment is maintained and in place, so the UC Police Department can safely achieve its mission to safeguard and protect the communities on all the UC campuses, medical centers and properties.

The mere possession of this equipment does not warrant its use for every incident, nor has the department been accused recently or in the past decade of indiscriminate use of these types of equipment.

The department recognizes that critical incidents are unpredictable, often fluid and dynamic in nature. The department prides itself on its training, use of best practices, and forward-thinking in technology and the tools it acquires and utilizes in its mission for the safety of its personnel and the safety of community members, patients and visitors alike.

The use of all equipment, not just "military equipment," is predicated on the mission of the department, policy, training, law, the safety of our officers, and the safety of our communities. Officers and incident commanders alike are influenced by the totality of the circumstances, public safety, civil rights and all available information at the time of a critical incident or disaster and the desire to bring that incident to a safe resolution.

Assembly Bill 481 (AB 481)

AB 481 is intended to increase transparency, accountability, and oversight surrounding the acquisition and use of military equipment by state and local law enforcement. AB 481's definition of "military equipment" was much more than armored vehicles, large-caliber firearms, explosive projectile launchers, explosive breaching tools and "flashbang" grenades.

AB 481 speaks to the acquisition of military equipment by any means, including the 1033 Federal Surplus Property Program (1033 Program) and the purchase of military equipment using grants or University funding.

It requires the department to seek approval from the Board of Regents through an Ordinance and the adoption of a Military Equipment Use Policy, which must address a number of specific topics, including the type, quantity, capabilities, purposes, and authorized uses of each type of military equipment, the fiscal impact of their acquisition and use, the legal and procedural rules that govern their use, the training required by any officer allowed to use them, the policies in place to ensure policy compliance, and the procedures by which the public may register complaints.

The Regents must consider the proposed Military Equipment Use Policy in open session and may only approve a Military Equipment Use Policy if it makes various findings regarding the necessity of the military equipment and the lack of reasonable alternatives.

If the Military Equipment Use Policy is approved, the Police Department must submit an annual report to the Regents. The report must contain specific information, including the equipment's uses, any complaints received, any internal audits or other information about violations of the Military Equipment Use Policy , and the cost of such use.

Police Department staff and legal counsel have reviewed AB 481, its definition of military equipment, and the requirements of the legislation. Based on this review, the department has determined that it retains and utilizes equipment defined as military equipment.

None of the ten campuses participates in or has acquired equipment under the 1033 Federal Surplus Property Program.

AB 481 designated the following 15 categories of items as military equipment:

1. Unmanned, remotely piloted, powered aerial or ground vehicle.
2. Mine-resistant ambush-protected vehicles or armored personnel carriers.
3. High mobility multi-purpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus.
4. Tracked armored vehicles that provide ballistic protection to their occupants.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature.
8. Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
9. Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code 30510 and Penal Code 30515, with the exception of standard-issue firearms.
10. Any firearm or firearm accessory that is designed to launch explosive projectiles.
11. Noise-flash diversionary devices and explosive breaching tools.
12. Munitions containing tear gas or O.C., excluding standard, service-issued hand-held pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and long-range acoustic devices.
14. Kinetic energy weapons and munitions.
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.

The UC Police Department maintains and utilizes equipment in categories 1, 5, 7, 8, 11, 12, 13, and 14.

Each of the ten campus department policies requires officers to be trained in using this equipment and be certified before its use. In addition to the initial training, annual reoccurring training and/or qualification are required in most categories.

Categories and Descriptions	UCB	UCD	UCI	UCLA	UCM	UCR	UCSD	UCSF	UCSB	UCSC	Total
Category 1 - Unmanned, remote Piloted, Powered Aerial or Ground Vehicles											
<i>Remotec Andros F6A Robot</i>	1	0	0	0	0	0	0	0	0	0	1
Category 5 - Command and Control Vehicles that are either built or modified to facilitate operational control and direction of public safety units											
<i>Command Post - Vehicle</i>	1	0	0	0	0	0	0	0	0	0	1
Category 7 - Battering Rams, Slugs, and Breaching Apparatuses											
<i>Royal 12 GA. Shotgun Frangible Breaching Rounds</i>	0	0	0	205	0	0	0	0	0	0	205
Category 8 - Firearms and Ammunition of .50 caliber or greater, excluding standard issue shotguns and standard issue shotgun ammunition											
<i>Remington 870 12 Ga. Shotgun (Breaching or Bean Bag Use Only)</i>	13	0	0	1	0	5	10	0	0	0	29
Category 11 - Noise-Flash Diversionary Devices and Explosive Breaching Tools											
<i>Def-Tec Multi-port Plus II Distraction Device Model #8922</i>	0	0	0	0	0	0	0	10	0	0	10
Category 12 - Munitions Containing Tear Gas or OC Excluding Standard Service Issued Hand-Held Pepper Spray											
<i>FN Herstal 303-5 18mm Rounds (PAVA/OC)</i>	480	0	300	0	120	0	135	1500	0	120	2655
<i>Def-Tec 40mm Direct Impact Munition Model #6320 (OC)</i>	5	0	5	50	5	0	0	4	0	5	74
<i>Def-Tec 40mm Direct Impact Munition Model #6322 (CS)</i>	5	0	5	0	5	0	0	18	0	5	38
<i>FTC PAVA Capsaicin Rounds</i>	0	0	0	1550	0	0	1210	0	0	0	2760
<i>Def-Tec MK-9 Pepper Spray (OC) Canisters, Model #5099</i>	8	0	0	0	0	0	0	0	0	6	14
<i>Sabre MK-9 Pepper Spray (OC) Canister Model 91H2060</i>	0	0	6	0	0	0	0	0	0	0	6
Category 13 - Taser Shockwave, Microwave Weapons, Water Cannons, and Long Range Acoustic Devices											
<i>Long Range Acoustic Device (LRAD)</i>	1	1	1	2	1	1	1	1	1	1	11
Category 14 - Kinetic Energy Weapons and Munitions											
<i>FN Herstal 303 Launcher</i>	5	1	1	1	1	5	1	4	1	1	21
<i>FN Herstal 303-3 18mm Rounds (Washable Paint)</i>	390	100	0	0	0	200	150	2400	0	200	3440
<i>Def-Tec/LMT 40mm Launcher (Models #1327, #1425, #1426)</i>	4	5	13	18	1	1	1	14	15	11	83
<i>Def-Tec 40mm eXact Impact Munition Model #6325</i>	100	100	150	120	7	20	62	281	356	55	1251
<i>Def-Tec 40mm Bean Bag Round Model #6025</i>	0	0	0	0	0	0	0	22	0	0	22
<i>FTC Pepper ball Rifle</i>	0	0	0	4	0	0	2	0	0	0	6
<i>Def-Tec 12 Ga. Bean Bag Rounds Model #3027</i>	625	0	0	0	0	0	168	0	0	0	793
<i>Accusox 12ga. Bean Bag Rounds</i>	0	0	0	0	0	233	0	0	0	0	233

EQUIPMENT

CATEGORY 1 – UNMANNED, REMOTE PILOTED, POWERED AERIAL OR GROUND VEHICLES

Type: Andros Bomb Robot Model F6A

Quantity: One

Cost: (\$159,199)

No annual cost other than the price of parts, if needed. All Hazardous Device Technicians (HDTs) are sent to a regional Remotec Robot Maintenance course. Active HDTs maintain the Andros Robot.

Lifespan: 8-10 years

Capability: The ANDROS F6A is a heavy-duty robot. It has a stair-climbing ability and an arm capable of lifting 65lbs. The F6A also offers multiple communications options, a chassis and manipulator that allow for accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.

Manufacturer Description: The Remotec ANDROS F6A is the most versatile, heavy-duty robot on the market. Speed and agility unite to make it the first choice for a wide range of missions, and its proven stair climbing ability, rugged and dependable chassis, and an arm capable of lifting 65lbs mean that the F6A is more than strong enough to handle any task. The F6A also offers multiple communications options, a chassis and manipulator that allow for unlimited accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.

Purpose: The Andros Robot is utilized by the UC Berkeley Bomb Squad, trained and certified by the FBI's Hazardous Device School since approximately 1971. The robot's sole purpose is to remote manipulate hazardous devices such as improvised explosive devices. The UC Berkeley Bomb Squad provides hazardous device disposal for the UC Berkeley campus, Lawrence Berkeley Laboratory, surrounding agencies and the County of Marin.

Legal: UCB Policy 408 – Response to Bomb Calls. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training:

UC Berkeley PD personnel must attend the FBI's Hazardous Device School and obtain their Hazardous Device Technician (HDT) certification. In addition, all HDTs must attend a Remotec Robot Maintenance course, obtain HDT recertification every three years, and strive to maintain 24 hours of HDT-related training per month.



CATEGORY – 5 COMMAND AND CONTROL VEHICLES THAT ARE EITHER BUILT OR MODIFIED TO FACILITATE OPERATIONAL CONTROL AND DIRECTION OF PUBLIC SAFETY UNITS.

Type: Command Vehicle – 2007 Ford Motorhome

Quantity: One

Cost: (\$459,910) Annual maintenance cost estimated between \$0 and \$1,000 annually.

Lifespan: 80,000-100,000 miles

Capability: A vehicle used as a mobile office that provides shelter, access to department computer systems, and restroom facilities during extended large pre-planned events, natural disasters, searching for missing persons, and community events.

Manufacturer Description: This is a standard 2007 Ford chassis developed as a command vehicle. There is no specific manufacturer description.

Purpose: UC Berkeley PD is located on the Hayward Fault Line. The command vehicle is utilized as a remote command center in the event of the loss of their primary command center located in the basement of Sproul Hall.

Legal: UCB Policy 706.5 – Special Purpose Vehicles. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: No additional training. Class C license.



CATEGORY 7 – BATTERING RAMS, SLUGS, AND BREACHING APPARATUSES THAT ARE EXPLOSIVE IN NATURE

Type: Royal Arms International 12 Gauge Breaching Rounds

Quantity: 205

Cost: Black Caps (\$5 each), Orange Caps (\$5 each), Yellow Caps (\$6 each), HP Cutters (\$6 each) – Fiscal Cost less than \$250 per year depending on operational use and training.

Lifespan: N/A

Capability: Depending on the selected round, used to defeat locks, deadbolts, doors, hinges, cut re-bar, penetrate security glass, and defeat engine blocks.



Manufacturer Description: Orange Cap 2-3/4" 275 Grain Compressed Copper Frangible 12 Gauge Shotgun Slug.

- Slug Material: Copper Powder
- Velocity: 1,750 ft. p/sec -18" Barrel
- Use: For Wood Doors, Solid & Hollow
- Defeats: Solid Wood Doors, Locks and Hinges



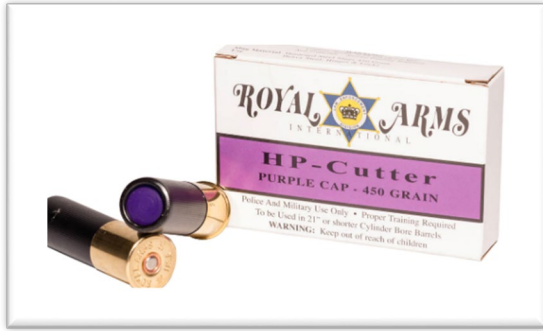
Yellow Cap 2-3/4" 750 Grain Copper S/70 Steel Frangible 12 Gauge Shotgun Slug.

- Slug Material: Copper with S-70 Steel Shot
- Velocity: 1,285 ft. p/sec -18" Barrel
- Use: For Class 3 Heave Steel Doors
- Defeats: Class 3 Doors, Locks and Hinges



Blue Cap 2-3/4" 500 Grain Compressed Copper Steel Frangible 12 Gauge Shotgun Slug.

- Slug Material: Copper with S-70 Steel Shot
- Velocity: 1,285 ft. p/sec -18" Barrel
- Use: For Class 3 Heave Steel Doors
- Defeats: Class 3 Doors, Locks and Hinges



Silver Cap 2-3/4" 450 Grain Hardened Steel Slug NON- Frangible 12 Gauge Shotgun Slug.

- Slug Material: 4140 Chromalloy Steel
- Velocity: 1,400 ft. p/sec -18" Barrel
- Use: Cuts re-bar, penetrates security glass, car doors, punches into engine blocks

Purpose:

During a crisis situation, it may become necessary for officers to gain immediate access to a room or locked area. Breaching rounds allow officers to safely defeat locks, deadbolts, and door hinges to gain immediate access.

The breaching rounds are frangible, meaning they are made of ceramic-like materials designed to dissipate on impact. Breaching rounds have been utilized to defeat doors where a patient had barricaded themselves in a room and during an active shooter incident to gain immediate access to locked areas.

Legal: UCLA Policy 307 – Firearms. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: The UCLA Police Department's training program provides officers with a working knowledge of breaching tools and techniques. An officer who deploys the breaching shotgun must have the necessary training and demonstrate proficiency with breaching tools. In addition, instructors teach a standardized curriculum to address manual breaching and shotgun breaching rounds. The department's lead instructors are former Special Weapons and Tactics (SWAT) operators and SWAT Team Leaders for other California Peace Officer Standards and Training (POST)-certified law enforcement agencies.

CATEGORY 8 – FIREARMS AND AMMUNITION OF .50 CALIBER OR GREATER, EXCLUDING STANDARD-ISSUE SHOTGUNS AND STANDARD-ISSUE SHOTGUN AMMUNITION

Type: Remington 870 Shotgun (Modified for breaching ammunition)

Quantity: 1

Cost: Approximately \$800. Annual maintenance is estimated to be \$0 to \$25.

Lifespan: 25 years

Capability: Breaching -This firearm allows a breacher to safely defeat locks, hinges and door hardware.

Manufacturer Description: The Remington Model 870™ is a pump-action shotgun design with ultimate strength, durability, silky-smooth bind-free action, and sleek, classical lines. As one of the most popular shotguns, the Model 870 is offered in dozens of configurations to suit a variety of applications. Royal Arms Breaching Shotgun starts out with the Remington 870 Express Synthetic 12-Gauge Shotgun as its base. They then completely modify it with their custom CNC machined parts to be the ultimate Breaching Shotgun.

Purpose: The modified 12-Gauge Remington 870 Shotgun is designed to fire copper or clay compressed frangible projectiles through door locking mechanisms and hinges. After defeating a door's hardware, the projectile disintegrates, mitigating the risk of potential injury to bystanders.

Legal: UCLA Policy 307 – Firearms. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Specific officers are trained as breachers and receive training to safely deploy and operate the breaching shotgun through in-house breaching instructors. Officers deploying a breaching shotgun have completed all necessary training and demonstrated proficiency in its use. Instructors teach a standardized curriculum to address manual breaching and shotgun breaching rounds.

Type: Remington 870 Shotgun (Bean Bag deployment)

Quantity: 28

Cost: Approximately \$500. Annual maintenance is estimated to be \$0 to \$25.

Lifespan: 25 years

Capability: Beanbag shotguns can fire a 12-gauge beanbag round with a maximum effective range of sixty (60) feet.

Manufacturer Description: The Remington Model 870™ is a pump-action shotgun design with ultimate strength, durability, silky-smooth bind-free action, with sleek and classical lines. As one of the most popular shotguns, the Model 870 is offered in dozens of configurations to suit hundreds of applications.



Purpose: Beanbags are less-lethal munitions used as an option to de-escalate a potentially dangerous/deadly situation, with a reduced potential for death or serious injury to all persons involved.

It is accepted that the probability exists for bodily harm to occur. However, it must also be accepted that the application of such force may be the only alternative to using lethal force to stop the subject's actions. Situations when the deployment of less-lethal beanbags is authorized but not limited to include self-destructive, dangerous, and/or combative individuals.

Legal: Use of Force Policy, Control Devices and Techniques Policy, Less-Lethal Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers that have been trained in the use of the beanbag shotgun undergo thorough classroom and live-fire training in its use and application. Additionally, officers trained in the use of the beanbag shotgun must pass annual qualifications to maintain proficiency and certification.



CATEGORY 11 – NOISE-FLASH DIVERSIONARY DEVICES AND EXPLOSIVES BREACHING TOOLS

Type: Defense Technologies Low Roll 11-gram Non-Reloadable Distraction
Device Model #8922

Quantity: 10

Cost: \$48 per device, estimated annual costs \$1,000 (UCSF)

Lifespan: Five (5) years

Capability: A less-lethal explosive device that emits an extremely loud bang and bright lights to disorient people as it goes off.

Manufacturer Description: The Low Roll II™ Non-Reloadable Distraction Device® utilizes an M201A1 type fuse with a hex design steel body. This compact version of the 8933 Low Roll body is the newest version of the original reusable non-bursting canister that limits movement and rolling once deployed.

The compact distraction device unit fits safely in your hand and packs all the power of the full-size 12-gram distraction device unit. This steel body is designed to reduce rolling, fit in tactical pouches easily and deliver the safest and most effective stimuli in the industry. The compact distraction device unit should only be deployed in areas that have been visually observed to be clear of potential hazards.



Purpose: Used during critical incidents as a diversionary device to disorient. A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric overpressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological, sensory deprivation to give officers a tactical advantage.

Legal: UCSF General Orders 4.3.6 (D) 1. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Before use, officers must attend diversionary device training conducted by POST certified instructors.

CATEGORY 12 – MUNITIONS CONTAINING TEAR GAS OR O.C., EXCLUDING STANDARD, SERVICE-ISSUED HAND-HELD PEPPER SPRAY

Type: FN 303 PAVA/ Oleoresin Capsicum (OC) Projectiles

Quantity: 2,655

Cost: \$6-\$7 each, annual costs \$0 to \$6,000 annually.

Lifespan: Shelf life of three (3) years

Capability: To compel individuals to cease their actions when such munitions present a reasonable option. Effective range 50 to 100 meters.



Manufacturer Description:

Dedicated to reducing lethality, the basis of the FN 303 lies in its unique projectiles. These .68 caliber, 8.5-gram projectiles utilize a fin-stabilized polystyrene body and a non-toxic bismuth forward payload to provide more accuracy and greater effective range than other less-lethal systems.

The primary effect of the projectile is trauma, which directly neutralizes the aggressor. Secondary effects from the projectiles can be delivered via a chemical payload depending on mission requirements.

PAVA/OC Powder

This projectile is intended as an irritant for individual suspects, point-specific targets or small-area denial. The active ingredient is 0.5% PAVA/OC in a powder form for ease of storage, deployment and clean-up. (The name "PAVA" stands for Pelargonic Acid Vanillyl Amide, also called Nonivamide, and is the organic compound characteristically in natural chili pepper).

Purpose: To limit the escalation of conflict where the deployment of lethal force is prohibited or undesirable. Situations for using a less-lethal weapon system may include but are not limited to the following:

- 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.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, and Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: All department personnel utilizing FN-303 launchers and projectiles are trained in their use by POST/STC (Standards and Training in Corrections) certified less-lethal and/or chemical agent instructors.

Type: Def-Tec 40mm Direct Impact Munition Model #6320 (OC)

Quantity: 74

Cost: Approximately \$30.50 - \$32.00 each. Annual costs \$0 to \$2,100 annually

Lifespan: Five (5) years from the date of manufacture

Capability: The 40mm Direct Impact OC Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.



Manufacturers Description: 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.

Purpose: To limit the escalation of conflict where the deployment of lethal force is prohibited or undesirable. Situations for using a less-lethal weapon system/chemical agent may include but are not limited to the following:

- 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.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, and Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: All department personnel utilizing 40mm launchers and projectiles are trained in their use by POST/STC certified less-lethal and chemical agent instructors.

Type: Def-Tec 40mm Direct Impact Munition Model #6322 (CS)**Quantity:** 38**Cost:** Approximately \$30.50 - \$32.00 each. Annual costs \$0 to \$1,056 annually**Lifespan:** Five (5) years from the date of manufacture**Capability:** The 40mm Direct Impact CS Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.

Manufacturers Description: 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 (0-chlorobenzalmalononitrile) powder, the Direct Impact combines blunt trauma with the effects of an irritant powder, maximizing the potential for incapacitation.

Purpose: To limit the escalation of conflict where the deployment of lethal force is prohibited or undesirable. Situations for using a less-lethal weapon system/chemical agent may include but are not limited to the following:

- 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.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, and Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: All department personnel utilizing 40mm launchers and projectiles are trained in their use by POST/STC certified less-lethal and chemical agent instructors.

Type: FTC PAVA Capsaicin Rounds**Quantity:** 2,760**Cost:** Approximately \$1.70 to \$2.50 each. Annual costs \$0 to \$5,244 annually**Lifespan:** Three (3) years from the date of manufacture

Capability: Pepper ball launchers allow officers to address an armed and/or violent individual(s) with a non-lethal munition that delivers both chemical agent and kinetic energy impact. This combination can be extremely effective in gaining compliance or reducing threat potential with a less lethal platform. Due to its design, pepper balls can be delivered from a larger standoff distance allowing for an added degree of officer safety. Its high round capability and accuracy allow for its use in a wide variety of operational environments.



Manufacturers Description: PepperBall's most potent and powerful concentration of PAVA pepper powder. One round of LIVE-X™ contains the equivalent PAVA irritant chemical agent in 10 regular PepperBall® LIVE™ rounds.

Features:

100% waterproof

Shell color indicated payload

Formula: 5% PAVA powder

Operational temps of -30°F to 150°F

Used for direct impact and area saturation

Proudly made in the USA

Purpose: A non-lethal munitions system that employs paintball launchers to fire "pepper balls" that contain powdered OC in place of the paint. The pepper ball delivery system combines chemical agent exposure with kinetic energy impact to aid in its effectiveness in addressing armed and/or violent individuals as well as crowds. Pepper ball munitions also include glass-breaking rounds and marking rounds. Used to limit the escalation of conflict where the deployment of lethal force is prohibited or undesirable. Situations for using a less-lethal weapon system/chemical agent may include but are not limited to the following:

- 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.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Before deploying the pepper ball launcher and munitions, officers must complete a POST-certified course in the operation of the pepper ball launcher. Additionally, all members who operate any Less-Lethal Devices must pass a qualification course of instruction.

Type: Def-Tec MK-9 OC Spray Canisters

Quantity: 14

Cost: \$58 to \$62 each. Annual costs are \$0 to \$868 annually

Lifespan: Five (5) years from the date of manufacture

Capability: Intended for use in crowd management and will deliver 14 short bursts of OC at an effective range of 18-20 ft.



Manufacturers Description: The MK-9 features an easy-to-use trigger handle, is intended for use in crowd management and will deliver 14 short bursts of OC at an effective range of 18-20 feet. This 1.3% MC (Major Capsaicinoids) OC aerosol product utilizes a stream delivery method providing a target-specific, strong concentrated stream for greater standoff.

Non-flammable / Electronic Discharge Weapon (EDW) safe.

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use may include but are not limited to the following:

- 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.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: All members attend a POST-certified Basic Academy that includes instruction and certification on chemical agents (Learning Domain 35). Officers receive periodic chemical agent update training.

Type: Sabre MK-9 Pepper Spray (OC) Canisters Model 91H2O60**Quantity:** 6**Cost:** \$45 to \$59 each. Annual costs are \$0 to \$826 annually**Lifespan:** Five (5) years from date of manufacture**Capability:** Intended for use in crowd management and will deliver 14 short bursts of OC at an effective range of 18-20 feet.**Manufacturers Description:** SABRE's MK-9 was designed for crowd management and cell extractions and can be carried in cruisers or with a convenient thigh holster. It is a high-volume streamer that fires up to 8–10 meters.

Sabre pepper sprays are recognized as the best and strongest solutions available on the world market. They are used by many law enforcement units around the world. The gas formula is based on natural ingredients: red pepper and paprika. This formula does not cause serious side effects.

Pepper spray also works on people under the influence of alcohol or drugs. Each tank of gas contains components visible in ultraviolet light, which allows for later identification of the assailant by the police officers.

Flip-top protection is quick and easy to use even in high-stress situations and provides reliable protection against accidental use. This product is especially recommended for uniformed services personnel and private security agencies.

Features:

- | | |
|--|-----------------------------|
| - Capacity: 473 mL | - Weight: 621g |
| - Nozzle: High Volume Stream | - Range: 8-10 meters |
| - Active ingredients: Capsicum Oleoresin 10% | - Gas propellant: Nitrogen |
| - Power: 2,000,000 SHU (Scoville Heat Units) | - 1.33% Major Capsaicinoids |
| - Dimensions: 264 mm x 143 mm | |
| - Contains components visible in ultraviolet light | |

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

- 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.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, and Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: All members attend a POST-certified Basic Academy that includes instruction and certification on chemical agents (Learning Domain 35). Officers receive periodic chemical agent update training.

CATEGORY 13 – TASER SHOCKWAVE, MICROWAVE WEAPONS, WATER CANNONS, AND LONG-RANGE ACOUSTIC DEVICES.

Type: Long Range Acoustic Device (LRAD)

Quantity: 11

Cost: \$9,700 each, no annual operating expense

Lifespan: No expiration provided by the manufacturer

Capability: Long Range Acoustical Device (LRAD) is a high-intensity directional acoustical array for long-range, crystal clear hailing, notification, and an unmistakable warning tone. The LRAD is primarily used as a communication device.

Manufacturer Description: The LRAD 100X is a self-contained, portable communication system for on-scene tactical communication. With unparalleled vocal clarity and up to 30db louder than bullhorns, megaphones, and vehicle P.A. systems, the LRAD 100X is 4 to 6 times louder than other acoustic hailers of comparable sizes and weights.

LRAD's optimized driver and waveguide technology ensure every message is clearly broadcast, heard and understood, even above engine, crowd, siren, and background noises. The LRAD warning tone commands attention to the voice messages that follow and provides a safer alternative to non-lethal and kinetic measures for changing behavior.



**Purpose:**

The Long-Range Acoustic Device (LRAD) is a self-contained loudspeaker system used for communicating and warning people over large areas. The LRAD delivers clear and highly comprehensible sound up to 600 meters.

LRAD's proprietary audio technology focuses sound in a 30° beam in front of its devices. This ensures that individuals in large crowds and people spread out over large areas with competing noises and audible distractions can hear and clearly understand the message.

The LRAD facilitates communication in evacuation scenarios, emergency messages to the public, hazardous warnings, and information to large crowds. Coastal communities have utilized LRAD devices for tsunami warnings and to provide lifeguards with the ability to communicate clearly with swimmers in the water.

The LRAD emits a noise that causes a piercing tone, which has been a criticism of the system by protestors in communities where it has been used for crowd control.

Legal: The department shall only utilize this equipment for official law enforcement purposes and pursuant to state and federal law and applicable department policy.

Training: All operators receive training before operating any LRADs in the field.

Category 14 – KINETIC ENERGY WEAPONS AND MUNITIONS

Type: FN Herstal 303 Launcher

Quantity: 19

Cost: \$1,300 each unit, \$0 to less than \$100 per unit annually.

Lifespan: No lifespan indicated by the manufacturer. Lifespan varies on operational usage and wear.

Capability: The FN-303 Less-Lethal Launcher is a semi-automatic, shoulder-fired device that fires non-lethal munitions and liquids. The device is powered by compressed air to fire the projectiles loaded into an attached 15-round drum magazine.

Projectiles provide blunt impact, marking, and oleoresin capsicum (OC) effects to deny access, move, and/or suppress individuals from 5–100 meters. The FN 303® is used for crowd control.

Manufacturer Description: The FN 303® Less Lethal Launcher is constructed from durable, lightweight polymer with comfortable ergonomics and an easy to operate safety. The FN 303® Launcher is equipped with both flip-up iron sights and an integrated MIL-STD-1913 top mounting rail for optical or electronic sights or other accessories.

The lightweight polymer magazine holds 15 projectiles and offers a clear rear cover to allow the operator to instantly verify both the payload type and the number of projectiles remaining. Easy-to-change air bottle provides approximately 110 shots per filling. It has a molded polymer frame, pistol grip, and buttstock flip-up iron sights (note: shown with red dot).



Purpose: The FN303 is a less-lethal, semi-automatic launcher that uses compressed air and launches plastic sphere projectiles from a 15-round drum magazine. The plastic spheres burst on impact and release paint or contain PAVA powder (The name "PAVA" stands for Pelargonic Acid Vanillyl Amide, also called Nonivamide, and is the organic compound characteristically in natural chili pepper). The OC powder can effectively control, dissuade or disperse an individual(s) engaged in violent or riotous behavior.

Legal: Use of Force Policy, Crowd Demonstration and Management Policy, and Control Devices and Techniques Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers authorized to carry and use the FN-303 must have completed the POST-approved Less-Lethal Instructor course.

Type: FN Herstal 303-3 18mm Rounds (Washable Paint)**Quantity:** 3,640**Cost:** Approximately \$5.10 each, \$0 to \$6,000 per year**Lifespan:** Shelf life of three (3) years**Capability:** To compel individuals to cease their actions when such munitions present a reasonable option. The effective range is 50 to 100 meters.**Manufacturer Description:** This projectile is intended for training and for marking suspects and objects with a washable colorant. Completely dedicated to reducing lethality, the basis of the FN 303® concept lies in its unique projectiles. These .68 caliber, 8.5-gram projectiles utilize a fin-stabilized polystyrene body and a non-toxic bismuth forward payload to provide more accuracy and greater effective range than other less-lethal systems. The primary effect of the projectile is trauma, which directly neutralizes the aggressor. Secondary effects from the projectiles can be delivered via a chemical payload depending on mission requirements.**Purpose:** To limit the escalation of conflict where the deployment of lethal force is prohibited or undesirable. Situations for using a less-lethal weapon system 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.

Legal: Use of Force Policy, Crowd and Demonstration Management Policy, and Control Devices and Techniques Policy, First Amendment Assemblies Policy. The Department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.**Training:** All department personnel utilizing 303 launchers and projectiles are trained in their use by POST/STC certified less-lethal and chemical agent instructors.**Type: Def-Tec/LMT 40mm Launcher (Models #1426, #1425, #1327)****Quantity:** 83**Cost:** Approximately \$1,300 each, \$0 to less than \$50 per unit annually.**Lifespan:** No lifespan indicated by the manufacturer. Lifespan varies on operational usage and wear.**Capability:** 40mm launchers are capable of firing a variety of munitions with a maximum effective range of one hundred twenty (120) feet. 40mm launchers can deliver 40mm munitions in the form of chemical agents, sponge baton rounds, or combined use sponge baton OC chemical agent rounds.

Manufacturer Description: (Model #1426/40LMTS) The 40LMTS is a tactical 40mm single-shot launcher that features a folding stock and an adjustable Integrated Front Grip (IFG) with a light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting system allow both a single and two-point sling attachment. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. This weapon is not designed to fire 40mm High-Velocity HE ammunition. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.



(Model #1425 40mm LMT) Manufactured exclusively for Defense Technology®, the 40mm LMT is a tactical single-shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail.

The ambidextrous Lateral Sling Mount (LSM) and QD mounting system allows both a single and two-point sling attachment. The 40mm LMT 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.



(Model #1327 40mm) The 40mm single-shot launcher that features an open-top, single shot, breech fed system, offers a single and double action trigger, 40mm rifled barrel that enhances the superb accuracy of the munitions, 12" Picatinny Rails (top and bottom) with front and rear pop-up adjustable sights, rail-mounted fore-grip, folding stock with adjustable cheek piece and grip, and prismatic powders black cerakote finish.



Purpose: 40mm launchers with less-lethal sponge rounds may be deployed to impact subjects who demonstrate assaultive or life-threatening behavior. 40mm launchers utilized with less-lethal sponge rounds may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon.

The main objectives that officers attempt to achieve in using a 40mm sponge round on a subject exhibiting any of the criteria mentioned above are to effect investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death.

Legal: Use of Force Policy, Crowd and Demonstration Management Policy, and Control Devices and Techniques Policy, First Amendment Assemblies Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers that have been trained in the use of the 40mm single launcher undergo thorough classroom and live-fire training in its use. Additionally, officers trained in using the 40mm single launcher must pass annual qualifications to maintain proficiency.

Type: Def-Tec 40mm eXact Impact Munition Model #6325

Quantity: 1,251

Cost: Retail price \$26.50 each, annual costs \$0 to \$6,000 annually

Lifespan: Five (5) years from the date of manufacture

Capability: 40mm eXact impact rounds can impact a suspect at a maximum effective range of one hundred twenty (120) feet.



Manufacturer Description: The eXact iMpacl™ 40mm Sponge Round is 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 launchers rifled barrel. The round utilizes smokeless powder as the propellant and, therefore, has velocities that are extremely consistent. Used for crowd control, patrol, and tactical applications.

Purpose: 40mm ammunition used in conjunction with 40mm launchers may be deployed to impact subjects who demonstrate assaultive or life-threatening behavior.

40mm ammunition used in conjunction with 40mm launchers may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon within the force guidelines of Department policy.

The main objectives that officers attempt to achieve in using a 40mm on a subject exhibiting any of the criteria mentioned above are to effect investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death.

Legal: Use of Force Policy, Crowd and Demonstration Management Policy, Control Devices and Techniques Policy, and First Amendment Assemblies Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers that have been trained in the use of the 40mm impact ammunition in conjunction with the 40mm single launcher undergo thorough classroom and live-fire training in its use. Additionally, officers trained in using the 40mm single launcher must pass annual 40mm qualifications to maintain proficiency.

Type: Def-Tec 40mm Bean Bag Round Model #6025**Quantity:** 793**Cost:** \$5 to \$7 each, \$0 to \$2,000 annually**Lifespan:** Five (5) years from the date of manufacture**Capability:** The 40mm Bean Bag Round is most suitable in moderately close to medium ranges of fire, approximately 20 to 35 feet.

Manufacturer Description: The 40mm Bean Bag Round is most widely used as a crowd management tool by law enforcement and corrections when there is a need to target individual instigators. It has also been successfully used as a dynamic, high-energy single subject round for incapacitation or distraction. The round contains one silica sand-filled bag. It utilizes smokeless powder as the propellant and has more consistent velocities and tighter patterns compared to its 37mm black powder counterpart.

Purpose: The Defense Technology 40mm bean bag round is designed to de-escalate a potentially violent situation without causing critical injuries where lethal force is prohibited or inadvisable.

Legal: Use of Force Policy, Crowd and Demonstration Management Policy, Control Devices and Techniques Policy, and First Amendment Assemblies Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers that have been trained in the use of the 40mm bean bag round in conjunction with the 40mm single launcher undergo thorough classroom and live-fire training in its use. Additionally, officers trained in using the 40mm single launcher must pass annual 40mm qualifications to maintain proficiency.

Type: FTC Pepper Ball Rifle**Quantity:** 6**Cost:** Approximately \$495 each, with no annual maintenance or replacement costs.**Lifespan:** N/A

Capability: The SA 200 and TAC 700 launch new PepperBall 3-gram projectiles at 300-360 feet per second with a target accuracy of 60 feet and area saturation with PAVA pepper to 200 feet. An automatic feed system keeps rounds launching consistently and in synchronization with trigger pull speeds and settings.



Manufacturer Description:

The PepperBall TAC 700 Full Auto launcher brings full automatic capability, with up to 700 rounds per minute, to your non-lethal pepperball launcher options. The PepperBall TAC700 is a compressed air-powered launcher that shoots .68 caliber rounds. Officers can quickly create large pepper clouds for crowd control, barricade busting, or more quickly achieve individual suspect compliance.

Optional trigger settings assure the TAC 700 can be set up to conform to agency policy while giving officers the right capabilities to achieve their goals. Trigger settings include full automatic and semi-automatic. The TAC 700 is our top-of-the-line pepperball launcher designed to offer you the right amount of non-lethal firepower you require to control use of force situations that come your way.

- Distance: Target accurate up to 60 feet, area saturation out to 150 feet.
- Speed: Quickly deploy PAVA rounds at up to 700 rounds per minute.
- Versatility: Enhance officer safety and effectiveness in crowd control, jail barricade busting, domestic violence, suicide by cop, and many other one-to-one or one-to-many non-lethal situations.
- Maneuverability: The forward-mounted high-pressure air bottle allows for greater maneuverability and mobility in tactical situations.
- Variable Fire Power: Automatic feed system keeps rounds launching consistently while variable trigger settings allow you to conform to agency policy while giving officers the right capabilities to achieve all of their goals.

The SA200 is an air-powered, hopper-fed pepperball launcher that operates from the open bolt position. In order for the SA200 to launch projectiles, the bolt must be in the rear and locked position. The charging handle, located on the left rear side of the launcher, must be in the rear locked position prior to pressurizing the system or pulling the trigger. Specific information is contained below.

Model: PepperBall SA200
Action: Semi-automatic
Hopper Capacity: 200 rounds
Barrel Length: 10.5 inches
Weight: 2.56 pounds
Area Saturation: 100 feet

Caliber: .68
Power: High-pressure air
Cycle Rate: 7 rounds per second
Overall Length: 20.63 inches
Effective Range: Target–30 feet

Purpose: The SA200 and TAC 700 Pepperball Launchers are designed as less-lethal weapons for use in a wide variety of tactical applications encountered within law enforcement. They may be used as an area treatment device to deploy chemical agents upon resistive suspects or as a direct fire weapon on assaultive/high-risk suspects. The intended target zone for the pepperball launcher is low center mass unless the situation dictates otherwise.

The purpose is to limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal weapon systems may include but are not limited to the following:

- 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.



Legal: Use of Force Policy, Crowd and Demonstration Management Policy, and Control Devices and Techniques Policy, First Amendment Assemblies Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers utilizing pepperball launchers and projectiles are trained in the use by POST-certified less-lethal and chemical agents instructors.

Type: Def-TEC Bean Bag Munitions Model #3027

Quantity: 793

Cost: Approximate cost is \$6 each, annual costs \$0 to \$3,000 annually

Lifespan: Five (5) years from the date of manufacture

Capability: Beanbag shotguns can fire a 12-gauge beanbag round with a maximum effective range of 75 feet.

Manufacturer Description: The Drag Stabilized™ 12-Gauge Round is a translucent 12-gauge shell loaded with a 40-gram tear-shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant. The 12-Gauge Drag Stabilized Round has secured its place as the law enforcement communities' number one choice for specialty impact munitions. This round has a velocity of 270 feet per second with a maximum effective range of 75 feet.

Purpose: Beanbag shotguns used with beanbag rounds may be deployed to impact subjects who demonstrate assaultive or life-threatening behavior. Beanbag shotguns utilized with beanbag rounds may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon.

The main objectives that officers attempt to achieve in using a beanbag round on a subject exhibiting any of the criteria mentioned above are to effect investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death.

Legal: Use of Force Policy, Crowd and Demonstration Management Policy, and Control Devices and Techniques Policy, First Amendment Assemblies Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers that have been trained in the use of the beanbag shotgun undergo thorough classroom and live-fire training in its use. Additionally, officers trained in the use of the beanbag shotgun must pass annual qualifications to maintain proficiency.

Type: West Coast Ammunition Accusox Bean Bag Rounds

Quantity: 233

Cost: Approximate cost of \$7 each, annual costs \$0 to \$3,000 annually.

Lifespan: N/A

Capability: Beanbag shotguns can fire a 12-gauge beanbag round with a maximum effective range of sixty (60) feet.

Manufacturer Description: None available



Purpose: Beanbag shotguns used with beanbag rounds may be deployed to impact subjects who demonstrate assaultive or life-threatening behavior. Beanbag shotguns utilized with beanbag rounds may also be used to control an actively resistive subject reasonably believed to possess or have immediate access to a deadly weapon.

The main objectives that officers attempt to achieve in using a beanbag round on a subject exhibiting any of the criteria mentioned above are to effect investigative detention or

arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death.

Legal: Use of Force Policy, Crowd and Demonstration Management Policy, Control Devices and Techniques Policy, and First Amendment Assemblies Policy. The department shall only utilize this equipment for official law enforcement purposes and pursuant to State and Federal Law and applicable department policy.

Training: Officers that have been trained in the use of the beanbag shotgun undergo thorough classroom and live-fire training in its use. Additionally, officers trained in the use of the beanbag shotgun must pass annual qualifications to maintain proficiency.

ADDITIONAL EQUIPMENT

In addition to the equipment already outlined, UC Merced, UC Riverside and UC Irvine are seeking authorization to add additional equipment that qualifies as reportable under AB 481 and the proposed UC Military Equipment Policy.

UC Merced

To increase the number of 40mm less-lethal launchers available to officers in the field as a less-lethal alternative when dealing with violent individuals that pose a threat to the public and officers.

(5) Def-Tec 40mm launchers

(100) Model #6324 eXact iImpact™ 40mm Sponge Round

Approximate Total Cost: \$6,890

UC Riverside

To replace existing shotgun and beanbag less-lethal equipment with more accurate 40mm less-lethal launchers and sponge impact rounds to effectively manage violent individuals that pose a threat to the public and officers.

(6) Def-Tec 40mm launchers

(60) Model #6324 eXact iImpact™ 40mm Sponge Round

Approximate Total Cost: \$6,081