

Item 9.d.

Attachments for ODPA Memorandum to the PAB Titled “Preliminary Review of the Berkeley Police Department’s (BPD) 2025 Annual Police Equipment Report and Board Considerations”

Chapter 2.100

POLICE EQUIPMENT ORDINANCE

Sections:

- 2.100.010 Name of Ordinance.**
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2.100.010 Name of Ordinance.

(A) This Ordinance shall be known as the Police Equipment Ordinance. (Ord. 8001-NS § 4, 2026)

2.100.020 Purposes of Ordinance.

(A) The purposes of this ordinance are to:

- (1) Restate requirements for the Berkeley Police Department (BPD) to produce policies and reports regarding the acquisition, funding, deployment, and use of covered Military Equipment.
- (2) Ensure ongoing consistency between local and State requirements with respect to Military Equipment policies, acquisition, funding, and reporting.
- (3) Avoid duplication of reporting and other effort by the Berkeley Police Department and the Police Accountability Board (PAB).
- (4) Strengthen existing state law requirements governing the acquisition, funding, use, and reporting of police equipment.
- (5) Ensure that local requirements remain in place in the event State-level requirements established by Chapter 12.8 (Sections [7070](#) to [7075](#)) of Division 7 of Title 1 of the California Government Code are rescinded or struck down.
- (6) Specify how local requirements differ from State-level requirements.

(7) Clarify roles and timelines with respect to BPD provision of Chapter 12.8 documents, the Police Accountability Board, and the PAB's involvement in effectuating Chapter 12.8. (Ord. 8001-NS § 4, 2026)

2.100.030 Local consistency with California State standards.

(A) All provisions of Chapter 12.8 (Sections [7070](#) to [7075](#)) of Division 7 of Title 1 of the California Government Code, including definitions, reporting requirements, policy requirements, review by elected officials, public meetings, and all other provisions, is hereby incorporated into the Berkeley Municipal Code by reference.

(1) In the event that Chapter 12.8 and/or its requirements are amended/alterd by the State Legislature or by a court whose jurisdiction covers Berkeley, those revisions shall also be incorporated by reference; this includes amendments made to the original statute or new statutes that may add to the requirements of Chapter 12.8.

(B) The Berkeley Police Department shall be responsible for fulfilling the requirements and provisions of Chapter 12.8.

(C) The use policies and reports produced in compliance with Chapter 12.8 (or requirements amended/ established by successor legislation) by the Berkeley Police Department shall serve to meet these local reporting requirements.

(1) In no event shall this ordinance be interpreted to require BPD to produce multiple versions of the policies/reports required by Chapter 12.8. (Ord. 8001-NS § 4, 2026)

2.100.040 Additional City of Berkeley Standards.

(A) The following police equipment shall also be subject to the same approval processes and reporting requirements defined in Chapter 12.8 and herein:

(1) All specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections [30510](#) and [30515](#) of the Penal Code.

(2) Batons 30 inches or longer in length.

(B) In addition to reporting requirements of Government Code Section [7072](#), the annual report shall include:

(1) A summary of how the Police Equipment was used or deployed. "Deployment" shall mean any instance in which military equipment was pointed or aimed at an individual, or otherwise deployed, during an interaction. "Interaction" shall be defined as a situation in which an individual could reasonably believe the deployment could be an attempt to gain compliance. "Deployment" shall not include the transport or wearing of military equipment.

- (a) Batons 30 inches or longer in length shall only be deemed "deployed" when used for management or control of crowds.
 - (2) If applicable, a breakdown of where Controlled Equipment was used geographically by individual police area. For each police area, the Police Department shall report the number of days or instances in which Controlled Equipment was used and what percentage of those daily reported uses were authorized by warrant and by non-warrant forms of court authorization.
- (C) For purposes of this Ordinance, "Impact Statement" means a publicly released, written document that includes, at a minimum, all of the following:
- (1) **Description:** A description of each type of Controlled Equipment, the quantity sought, its capabilities, expected lifespan, intended uses and effects, and how it works, including product descriptions from the manufacturer of the Controlled Equipment.
 - (2) **Purpose:** The specific purpose or purposes that each type of Controlled Equipment is intended to achieve.
 - (3) **Fiscal Cost:** The fiscal cost of each type of Controlled Equipment, including the initial costs of obtaining the equipment, the costs of each proposed use, the costs of potential adverse impacts, and the annual, ongoing costs of the equipment, including operating, training, transportation, storage, maintenance, and upgrade costs.
 - (4) **Impact:** An assessment specifically identifying any potential impacts that the use of Controlled Equipment might have on the welfare, safety, civil rights, and civil liberties of the public.
 - (5) **Mitigations:** Specific, affirmative technical and procedural measures that will be implemented to safeguard the public from such impacts.
 - (6) **Alternatives:** Alternative method or methods by which the Police Department can accomplish the purposes for which the Controlled Equipment is proposed to be used, and rationale for selection over alternative methods.
 - (7) **Third Party Dependence:** Whether use or maintenance of the Controlled Equipment will require the engagement of third party service providers. (Ord. 8001-NS § 4, 2026)

2.100.050 Acquisition and Use of Police Equipment.

(A) Restrictions Prior to Submission and Approval

- (1) The Police Department shall not engage in any of the following activities enumerated in Government Code Section [7071\(a\)\(1\)\(A\)-\(G\)](#) and Government Code [7073\(a\)](#) regarding a piece of Police Equipment before the Berkeley Police Accountability Board ("Police Accountability Board"), or any successive agency, reviews

and recommends, and the City Council approves, a Police Equipment Impact Statement and a Police Equipment Use Policy for that equipment.

(B) *Submission to Police Accountability Board*

(1) At least 12 days prior to any public meeting to consider the adoption of any Police Equipment Use Policy or Police Equipment Impact Statement, the Use Policy and Impact Statement shall be published for public review.

(2) The final Police Equipment Impact Statement and Police Equipment Use Policy shall be made publicly available on the Department's website for as long as the Police Equipment is available for use.

(3) The Police Accountability Board shall consider Police Equipment Impact Statements and Police Equipment Use Policies as an agenda item for review at an open session of a meeting.

(C) *Criteria for Police Accountability Board Recommendations*

(1) The Police Accountability Board shall recommend denial of a request to fund, acquire, or use Police Equipment pursuant to this chapter if it determines non-compliance with the standards articulated in Government Code Section [7071\(d\)\(1\)](#).

(2) If the submitted Impact Statement identifies a risk of potential adverse effects on the public's welfare, safety, civil rights, or civil liberties, the Police Accountability Board's recommendation for approval for the funding, acquisition, or use of the Police Equipment shall not be deemed an acquiescence to those effects, but instead an acknowledgment of the risk of those effects and the need for the Police Department to take proactive steps to minimize those effects.

(D) *Police Accountability Board Review*

(1) The Police Accountability Board shall recommend that the City Council adopt, modify, or reject the proposed Police Equipment Use Policy, and notify the Police Department of its recommendations.

(2) The Police Accountability Board shall present its recommendations to City Council.

(3) Failure by the Police Accountability Board to make its recommendation on a proposal within forty-five (45) days, or thirty (30) days in instances where the proposal is subject to a time-sensitive grant application, of submission shall enable City Staff to proceed to the City Council for approval of the proposal.

(E) *Police Accountability Board Review of Prior Recommendations*

(1) The Police Accountability Board shall determine, as part of its annual Work Plan, whether to include the review of any Police Equipment use policy in the coming year.

(2) A Police Accountability Board recommendation to City Council that a prior approval be revoked shall be presented to Council. If City Council does not act on such a recommendation within four (4) City Council meetings from when the item is first scheduled, the Police Department shall cease its use of the Police Equipment.

(F) *City Council Approval Process*

- (1) After the Police Accountability Board review requirements have been met, the Police Department shall schedule for City Council consideration the proposed Police Equipment Impact Statement and proposed Police Equipment Use Policy, and include Police Accountability Board recommendations, at least twelve (12) days prior to a public meeting.
- (2) If the City Council does not approve such item within four (4) regular City Council meetings from when the item is first scheduled, the Police Department shall cease its use of the Police Equipment until such review and approval occurs. (Ord. 8001-NS § 4, 2026)

2.100.060 Reports on the Use of Police Equipment.

(A) The Police Department shall annually submit a report on Police Equipment that incorporates the reporting requirements of both Government Code Section [7072](#) and local law, as described herein.

(B) *Compliance or Revocation of Approval*

- (1) Within 60 days of the Police Department submitting an annual report, the Police Accountability Board shall place the report as an agenda item for an open session of a regular meeting.
- (2) The Police Accountability Board shall have the authority to review the annual report and issue recommendations to the City Council. Specifically, in accordance with Government Code [7071\(e\)\(2\)](#), the Police Accountability Board may determine, based on the annual report submitted pursuant to Government Code Section [7072](#) and Berkeley Municipal Code [2.100.060](#), whether each type of military equipment identified in that report has complied with the standards for approval set forth in Government Code Section [7071\(d\)](#).
- (3) If the Police Accountability Board determines that any Police Equipment has not complied with the standards for approval set forth in Government Code Section [7071\(d\)](#), it shall either recommend revocation of the authorization for that piece of Police Equipment or modify the Police Equipment Use Policy in a manner that will resolve the lack of compliance. Recommendations for revocations shall be forwarded to City Council in accordance with the approval process in Section [2.100.050](#).
- (4) After review by the Police Accountability Board or forty-five (45) days, whichever comes first, the Police Department shall submit the annual report to City Council, indicating its approval or lack of compliance for each piece of Police Equipment. (Ord. 8001-NS § 4, 2026)

2.100.070 Transparency.

(A) It shall be unlawful for the City to enter into any Controlled Equipment-related contract or other agreement that conflicts with the provisions of this Ordinance, and any conflicting provisions in such future contracts or

agreements, including but not limited to non-disclosure agreements, shall be deemed void and legally unenforceable.

(B) To the extent permitted by law, the City shall publicly disclose all of its Controlled Equipment-related contracts, including any and all related non-disclosure agreements, if any, regardless of any contract terms to the contrary. (Ord. 8001-NS § 4, 2026)

2.100.080 Whistleblower Protections.

All provisions of Berkeley's Protection of Whistleblowers Workplace Policy, as promulgated by the City Manager on November 2, 2016, and including any updates or replacements thereto, shall apply. (Ord. 8001-NS § 4, 2026)

2.100.090 Severability.

If any section, subsection, sentence, clause, phrase, or word of this Chapter, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Chapter. The Council of the City of Berkeley hereby declares that it would have passed this Chapter and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this Chapter or application thereof would be subsequently declared invalid or unconstitutional. (Ord. 8001-NS § 4, 2026)

The Berkeley Municipal Code is current through Ordinance 8004-NS, passed March 24, 2026.

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.berkeleyca.gov](http://www.berkeleyca.gov)

[Hosted by General Code.](#)

2025 Annual Police Equipment Report

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Ordinance Background and Objectives

On September 30, 2021, Assembly Bill 481 was approved by California Governor Gavin Newsom, requiring law enforcement agencies to obtain approval of the applicable governing body (Mayor and City Council), by adoption of a military equipment use policy prior to funding, acquisition, or use of military equipment as defined in AB 481. This bill required the same approval process for the continued use of military equipment that law enforcement agencies already possessed. In accordance with the assembly bill, the Berkeley Police Department authored Policy 709, Military Equipment Policy, which was approved by the City Council on July 26, 2022.

Furthermore, Assembly Bill 481 requires law enforcement agencies to submit to the governing body an annual report for each type of military equipment. State law requires that the Annual Report contain the following information:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- The quantity possessed for each type of military equipment.
- If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

In addition, Berkeley Municipal Code Chapter 2.100 requires the report to include:

- A summary of how covered equipment was deployed, using the ordinance's broader definition of deployment (any instance in which equipment was pointed or aimed at an individual, or otherwise deployed, during an interaction in which the individual could reasonably believe it to be an attempt to gain compliance; transport or wearing of equipment is excluded).
- A geographic breakdown of where controlled equipment was used by individual police area, including the number of instances per area and the percentage authorized by warrant versus non-warrant forms of court authorization.
- Reporting of all specialized firearms and ammunition of less than .50 caliber, batons 30 inches or longer, and pepper spray.

The Police Accountability Board reviews this report and may make recommendations to the City Council pursuant to BMC 2.100.060.

Equipment Inventory and Descriptions

Below is a list and Berkeley Police Department inventory and equipment levels of the reportable equipment as defined in BMC 2.100 & AB 481 as of May 2026.

- Patrol Rifle (96)
 - Associated .223 duty and training rounds (106,040)
- Less Lethal single 40MM Launcher (20)
- Less Lethal Milkor LTL 40 MM multi-Launcher (2)
 - Associated 40mm rounds (383)
- Less Lethal FN 303 Launcher (8)
 - Associated FN rounds (5,535)
 - Associated FN Pava rounds (145)
- Oleoresin capsicum (handheld OC spray) (175)
- Chlorobenzylidene Malononitrile and Oleoresin capsicum/ tear gas (232)
- Remington 700 Precision Rifle (6)
 - Associated .308 rounds (3,040)
- Light/sound distraction device (83)
- Long Range Acoustic Device (LRAD) (2)
- Barret Model 99 Precision Rifle (1)
 - Associated .50 rounds (514)
- Mobile Command Vehicle (1)
- ReconRobotics Recon Scout XT Robots (2)
- Andros Remotec HD-1 Hazardous Duty Robot (1)
- 36" batons (195)

The following are product descriptions of the military equipment the Berkeley Police Department possesses:

Patrol Rifle

The "M4" was developed and produced for the United States government by Colt Firearms and is based on the original Armalite Rifle (AR) patent purchased by Colt in 1959. Although Colt owns the trademarked name "M4," several other manufacturers offer similar firearms under various model names. The M4 and its variants fire 5.56×45 mm NATO (and .223 Remington) ammunition and are gas -operated, magazine -fed firearms with barrel lengths ranging from 11.5" to 16".

The current BPD rifle ammunition is the .223 Remington—a rimless, bottlenecked cartridge developed in 1957 by Remington Arms and Fairchild Industries. One of the most popular cartridges, the .223 Remington is used by a wide range of semi-automatic and manual -action rifles, as well as handguns. While the military uses the similar 5.56×45 mm NATO cartridge, BPD employs the more common civilian .223 Remington for all training and duty purposes.

Penn Arms 40MM Single Launcher & Milkor LTL Multi-Launcher

The 40 mm impact projectile was developed as an alternative to the 12-gauge bean bag round and other less focused less-lethal options. Early 12-gauge bean bag round designs had unpredictable flight patterns and could cause significant unintended injuries. The 40 mm foam baton round was created as a direct-fire projectile intended to minimize such risks. The Berkeley Police Department currently uses the CTS 4557 foam baton projectile and the Penn Arms L-140 single-shot Launcher.

FN 303

Developed in 2003 by Fabrique Nationale de Herstal as a less-lethal option, the FN 303 is based on a concept from Monterey Bay Corporation. The development team included designers and researchers from two paintball-related companies. The FN 303 uses compressed air to propel a .68-caliber projectile, similar to those used in manufactured paintball guns.

Chlorobenzylidene Malononitrile (CS) & (OC)

Chlorobenzylidene malononitrile, commonly known as CS, is one of the most widely used tear gases. It can be delivered as a liquid, gas, or solid and is designed to produce temporary discomfort by being vaporized or otherwise dispersed in the air. Law enforcement agencies rely on CS to manage combative suspects, control crowds, and handle barricaded subjects without resorting to higher levels of force. CS can be deployed via aerosol (the most common method), fogging, pyrotechnics, or blast expulsion; however, all methods are influenced by environmental factors such as wind, rain, temperature, and proximity. Under standard conditions, CS forms a white crystalline substance with low vapor pressure and poor water solubility.

Remington 700 Precision Rifle

The Remington 700 is a series of bolt-action rifles designed in 1962 by Remington Arms Company. The "700" designation refers to multiple models with varying parts, barrel lengths, stocks, and other components. The Precision Rifle model has long been used by law enforcement and remains an industry standard. The Berkeley Police Department employs a custom Remington 700 action chambered in the common .308-caliber round, featuring a 20-inch barrel, an Accuracy International chassis/stock, a Nightforce 3-15× magnified optic, and a bipod.

Light/Sound Distraction Device

Also known as diversionary, noise/flash, or light/sound devices, Light/Sound Distraction Devices have been available for about 40 years. They serve as safe and effective tools for law

enforcement during challenging tactical incidents. When activated, these devices produce loud noise, heat, and intense light to create an effective diversion.

Long Range Acoustic Device (LRAD)

The LRAD is a high -intensity, directional acoustical array that provides long -range, crystal -clear communication. Essentially, it functions as a powerful loudspeaker.

Barrett Model 99 Precision Rifle

The Barrett Model 99 is a single shot, bolt action .50 caliber rifle introduced in 1999. It is intended for emergency situations where there is a high potential for violence.

ReconRobotics Recon Scout XT Robots (Throw Bot)

The Recon Scout XT robot is intended to safely provide police officers valuable information during high-risk, rapidly evolving situations via real-time audio and video footage. It can be operated a distance away, creating space between the officer and potential danger, thus decreasing the likelihood of injury to those involved in the event, or even a violent encounter between police officers and a dangerous subject. This asset furthers our commitment to the sanctity of life by offering time and distance in critical incidents.

Andros Remotec HD-1 Hazardous Duty Robot

The Remotec HD-1 robot is used as a means to approach hazardous situations where a potentially lethal threat such as an explosive device exists. The Remotec HD-1 robot allows for the examination and manipulation of an object or potential explosive device without unnecessarily putting a bomb technician's life at risk.

Mobile Command Vehicle (MCV)

This vehicle is used as a mobile command post for any large-scale events or as a communications center in the event the communications center in the Public Safety Building is inoperable. Some examples of large-scale events include Solano Stroll, Cal Berkeley football games, critical incidents or natural disasters. In 2025, the MCV was utilized as a command post during the Cal Berkeley football games that took place in Berkeley.

2025 Equipment Deployment and Uses

The equipment documented in this report provide the Berkeley Police Department with options that assist in critical incidents and bring dangerous situations to a safe resolution. While the Berkeley Police Department possesses the equipment listed above, officers de-escalated almost all the situations that might have otherwise warranted the use of it. The use of military equipment is governed by Berkeley Police Department Policies and local, state, and federal laws. The use of the military equipment is restricted to only officers who have been trained in the use of the specific equipment.

The Berkeley Police Department responded to 60,374 calls for service responded to in 2025. Only 13 of the 60,374 incidents resulted in the use of less lethal tools (plus 6 uses of the Mobile Command Vehicle for Cal football games). The table below lists all BMC2.100/AB481-eligible equipment use incidents. Each row represents an incident in which a specific piece of equipment was used. These statistics illustrate the extremely rare instances that less lethal munitions and other police equipment are used in relation to overall contacts.

It should be noted BPD does not possess any drones, and reporting on the use of a drone in a mutual assistance capacity in Berkeley is the responsibility of the agency that provided the assistance. The Berkeley Police Department reports on the mutual assistance drone usage, understanding that it may lead to double reporting, but does so in the spirit of transparency. Drone uses are also reported in the annual Surveillance Technology Report.

Each incident is listed in chronological order. Equipment that was actively used is highlighted in yellow.

#	Equipment Used	Summary of Deployment	Beat
1	40MM Launcher	Officers responded to a report of a person attempting to strike passing vehicles with a metal pole. On arrival they located the subject armed with a metal stick. A 40MM Launcher was deployed until the subject was disarmed and detained without further incident.	2
2	40MM Launcher	Officers responded to a theft call in which the subject fled on foot and concealed himself beneath a food truck. A 40MM Launcher was deployed but not fired, and the subject ultimately was detained without incident.	14
3	Patrol Rifle	Officers located a reported stolen vehicle and detained its occupant. A patrol rifle was deployed but not used, and the subject complied and was detained without incident; the vehicle was	12

		confirmed stolen and recovered property was booked into evidence.	
4	40MM Launcher	Officers responded to a family disturbance involving a subject possibly armed with a knife. A 40MM Launcher was deployed but not used, and the subject complied and was detained without incident.	5
5	40MM Launcher	Officers responded to a report of a subject who had stabbed himself and then struggled over the knife with a family member. A 40MM Launcher was deployed but not pointed or used, and the subject was detained without further incident and transported for medical care.	5
6	Patrol Rifle	Officers responded to several calls regarding a subject carrying a rifle. Patrol rifles were deployed, and following de-escalation the subject dropped the weapon and was detained without incident.	14
7	Patrol Rifle, 40MM Launcher, Mobile Command Vehicle	Officers responded to a report of a subject who fired a gun into an adjacent unit during a dispute at a residential building. Patrol rifles, a 40MM Launcher, and the Mobile Command Vehicle (MCV) were deployed to manage an armed and barricaded subject; the only equipment used was the MCV, and the subject complied and was detained without incident.	5
8	Patrol Rifle, FN 303 Launcher	Officers responded to a domestic-violence call in which both parties had visible injuries and the involved subject, who had registered firearms, refused to open the door while a small child was present. Based on exigency, officers made entry; a patrol rifle and an FN 303 Launcher were deployed but not used, and the subject was detained without incident.	5
9	40MM Launcher	Officers responded to a report of a subject who brandished a hammer at a victim. The subject was highly agitated on contact; a 40MM Launcher was deployed but not used, and the subject was detained without incident after the hammer was recovered.	5
10	OC spray	Officers responded to a report of a subject who had brandished a knife at passersby in a park. On contact the subject took a fighting stance and refused commands; OC spray was used to overcome active resistance, and the subject was taken into custody. First aid was offered for the exposure.	5

11	Patrol Rifle	Officers responded to a report of a subject who had brandished a sawed-off shotgun. A patrol rifle was deployed but not used; the subject complied and was detained without incident, and a firearm was recovered.	11
12	Patrol Rifle	Officers conducted a vehicle pursuit of a felony brandishing suspect that ended in a collision. A patrol rifle was deployed but not used, and the subject was taken into custody without further incident.	5
13	Patrol Rifle	Officers responded to a report of a subject who had brandished a firearm during a road-rage incident and were directed to the subject's vehicle. A patrol rifle was deployed but not used; the subject complied and was detained without incident, and a loaded firearm was recovered.	9
14	Drone, LRAD, Recon Scout XT (throw-bot), FN 303 Launcher, Patrol Rifle, 40MM Launcher	The Special Response Team served a high-risk homicide warrant in San Leandro. An LRAD, a drone, and a Recon Scout throw-bot were used; all other listed equipment was deployed but not used. Two subjects were taken into custody with firearms recovered, and there were no injuries or property damage.	Outside of Berkeley
15	40MM Launcher	Officers responded to a report of a subject damaging vehicles who was experiencing a mental-health crisis and was non-compliant. A 40MM Launcher was deployed but not used, and the subject was detained without incident and placed on a mental-health hold.	14
16	Patrol Rifle, 40MM Launcher	Officers responded to a possible barricaded subject with a felony warrant who refused repeated announcements to exit. Two 40MM Launchers and two patrol rifles were deployed but not used, and the subject was located and detained without incident.	5
17	Light/Sound Distraction Device, LRAD, Drone, Recon Scout XT (throw-bot), Patrol Rifle, 40MM Launcher, FN 303	The Special Response Team served a warrant for armed-robbery suspects in Oakland. 3 light/sound diversionary devices, an LRAD, a drone, and a Recon Scout throw-bot were used; all other listed equipment was deployed but not used. Two subjects were detained without incident.	Outside of Berkeley

	Launcher, Precision Rifle		
18	40MM Launcher	Officers responded to a report of a subject in mental-health crisis who was reportedly holding two knives. A 40MM Launcher was deployed but not used, and the subject was detained without incident.	11
19	Patrol Rifle	Officers assisted with a high-risk stop of a vehicle that had fled an attempted traffic stop and collided with a parked car. A patrol rifle was deployed but not used as occupants were called out one by one, and all subjects complied and were detained without incident.	5
20	Patrol Rifle	Officers responded to a report of a subject walking with a handgun. Patrol rifles were deployed but not used; the subject complied and was detained without incident, and the item was determined to be a lighter.	13
21	Patrol Rifle	While conducting a yard search for a possibly armed subject involved in narcotics sales, officers deployed a patrol rifle but did not use it. The subject was detained without incident.	9
22	FN 303 Launcher, Patrol Rifle	Officers responded to a report of a subject who had pointed a firearm at a store employee and made threats. An FN 303 Launcher and patrol rifles were deployed but not used; the subject was located and detained without incident, and the firearm was determined to be a replica.	9
23	Patrol Rifle, 40MM Launcher	Officers responded to a barricaded subject who racked a shotgun, threatened to shoot officers, and fired a weapon multiple times, including toward officers. Patrol rifles and a 40MM Launcher were deployed; a patrol rifle was used, and the subject was taken into custody and transported for medical care.	3
24	40MM Launcher	Officers responded to a disturbance involving a subject reportedly armed and on firearms probation. A 40MM Launcher was deployed but not pointed at anyone; a patrol rifle remained in a patrol vehicle and was not deployed. The subject was detained without incident.	10
25	40MM Launcher	Officers responded to a burglary in progress at a storage facility in which one subject fled back into the building. A 40MM Launcher was deployed but	8

		not used, and two subjects were taken into custody without incident.	
26	40MM Launcher	Officers responded to a report of a resident attempting to force entry into a neighbor's unit who then armed himself with a hammer and a brick. A 40MM Launcher was deployed but not pointed, and the subject was detained without incident.	4
27	OC spray	Officers responded to a report of a subject who committed a robbery at a convenience store and sprayed bleach at an employee and at officers. OC spray was used to gain compliance after the subject remained non-compliant, and the subject was taken into custody. First aid was offered for the exposure.	12
28	FN 303 Launcher, Patrol Rifle, 40MM Launcher	The Special Response Team served a high-risk search and arrest warrant in Alameda for an armed-robbery suspect who fled the attempted arrest. An FN 303 Launcher was used on the fleeing subject who was struck with less-lethal impact rounds; patrol rifles, and a 40MM Launcher were also deployed but not used. The subject was taken into custody without further incident. One less-lethal round struck an unoccupied room of a nearby residence.	Outside of Berkeley
29	40MM Launcher	Officers responded to a report of a subject cutting himself with a knife who then fled and barricaded behind a refrigerator in an employee lounge. A 40MM Launcher was deployed during negotiations but not used, and the subject was detained without incident and transported for care.	14
30	Patrol Rifle	Officers assisted East Bay Regional Parks PD with a warrant subject barricaded in a stolen van. A patrol rifle was deployed but not pointed at anyone, and the subject was taken into custody without incident.	12
31	40MM Launcher, FN 303 Launcher	Officers responded to a report of a subject who brandished a long pole at a victim and attempted to strike him. Two less-lethal Launchers (a 40MM and an FN 303) were deployed but not used during the detention, and the subject was detained without incident.	6
32	FN 303 Launcher, Patrol Rifle	Officers responded to a report of a subject who discharged a firearm inside a residence. An FN 303 Launcher and a patrol rifle were deployed but not used, and the subject was detained without incident; a firearm was recovered.	5

33	FN 303 Launcher, OC spray	During an encampment operation, a subject known to officers refused to leave a makeshift structure and was reported to have threatened officers and deployed a fire extinguisher. OC spray was used towards two aggressive dogs. An FN 303 Launcher was used, with a single round fired into the structure that did not strike the subject; the subject subsequently exited without further incident. The suspect was arrested shortly thereafter when he attempted to return to the structure.	13
34	40MM Launcher	Officers responded to a report of a battery in which the subject was known to have a felony bench warrant and a history of resisting arrest. A 40MM Launcher was deployed but not used, and the subject was detained without incident.	14
35	40MM Launcher	Officers responded to a call regarding a vehicle blocking a driveway with an unresponsive occupant who was holding a knife. After repeated voice and phone attempts, a 40MM Launcher was deployed as a precaution but not used; the vehicle was opened, the knife secured, and the subject detained without incident.	10
36	40MM Launcher, Patrol Rifle	Officers pursued a felony vehicle involved in a vehicle theft and a collision that struck a Department vehicle. A patrol rifle and a 40MM Launcher were deployed but not used, and the subject was taken into custody without further incident.	6
37	Patrol Rifle	Officers responded to a report of gunshots and a subject on a rooftop. A patrol rifle was deployed and aimed to gain the subject's compliance during a rooftop search, and the subject was detained without incident.	11
38	Patrol Rifle	The Special Response Team served a search and arrest warrant in Oakland. A patrol rifle was deployed but not used while the subject was detained, and he was taken into custody without incident.	Outside of Berkeley
39	40MM Launcher	A detainee in the city jail refused to exit his cell. A 40MM Launcher was deployed but not used, and after de-escalation the subject exited on his own and was transported without incident.	5
40	40MM Launcher, Patrol Rifle	Officers responded to a report of a subject in a tent reported to have a loaded rifle. A 40MM Launcher	12

		and a patrol rifle were deployed but not used; the reported firearms were found to be partially dismantled airsoft rifles, and the contact was resolved without incident.	
41	40MM Launcher	Officers responded to a report of a subject who battered another person and was accompanied by a large dog. During negotiations a 40MM Launcher was deployed for safety in case the dog became aggressive; it was not used, and the subject signed a citation without incident.	5
42	40MM Launcher	Officers responded to a report that a neighbor had held a knife to the reporting party. A 40MM Launcher was deployed but not pointed or used, and the contact was resolved without incident.	3
43	Patrol Rifle	Officers responded to a report of a subject attempting to fire a gun at people in the area who then boarded a bus to flee. Patrol rifles were deployed but not used as two subjects were located and detained without incident.	4
44	Patrol Rifle, 40MM Launcher	Officers responded to a domestic-violence report involving a possible firearm at a location with a history of firearm-related incidents. A patrol rifle and a 40MM Launcher were deployed but not used, and the subject was detained without incident.	5
45	OC spray	While in Oakland recovering a vehicle that had been stolen from Berkeley, an officer contacted a subject who attempted to enter the running vehicle and then fled, combatively resisting. OC spray was used to overcome the subject's resistance; the subject re-entered and fled in the vehicle, which was later recovered.	Outside of Berkeley
46	40MM Launcher	Officers responded to a report of a subject experiencing a mental-health episode who had reportedly flooded an apartment. A 40MM Launcher was deployed based on the call information and prior contacts but was not used; no crime was reported and the subject was left in his residence.	5
47	Drone, FN 303 Launcher, Patrol Rifle, 40MM Launcher	The Special Response Team served an arrest and search warrant in San Francisco. A drone was deployed in support of the operation, which was completed without injury or property damage.	Outside of Berkeley
48	Patrol Rifle	Officers responded to a report of gunshots inside a residential building, where a subject had reportedly	4

		fired at a victim before retreating into a unit. A patrol rifle was deployed but not used, and the subject was detained without incident; he was later placed on a mental-health hold.	
49	FN 303 Launcher, 40MM Launcher	Officers searched an apartment complex for a subject wanted for felony domestic violence and kidnapping who was the subject of a no-bail warrant. Less-lethal Launchers (an FN 303 and a 40MM) were deployed to support the search teams but not used, and the subject was located and detained without incident.	5
50	Drone, FN 303 Launcher, Light/Sound Distraction Device, Patrol Rifle	This robbery investigation resulted in two Special Response Team warrant operations. On the first, in Oakland, a light/sound diversionary and an FN 303 Launcher were used as a fleeing suspect was struck with less-lethal impact rounds; a drone supported the operation and a patrol rifle were also deployed, and the subject was detained without further incident.	Outside of Berkeley
51	40MM Launcher, Light/Sound Distraction Device, Patrol Rifle	This robbery investigation resulted in two Special Response Team warrant operations. On the second, in Hayward, a patrol rifle, a 40MM Launcher, and a light/sound diversionary device were deployed and used to stop a suspect who attempted to flee in a vehicle, and the subject was taken into custody.	Outside of Berkeley
52	Patrol Rifle	Officers responded to a report of a subject armed with a rifle who had threatened another person. A patrol rifle was deployed but not used, and the subject was safely taken into custody without incident.	13
53	OC spray	Officers responded to reports of a subject behaving erratically and assaulting residents. The subject took a fighting stance, advanced on officers, and attempted to strike them; OC spray was used during the altercation, and the subject was taken into custody. First aid was offered for exposure.	1
54	40MM Launcher	Officers responded to a report of a wanted subject who had barricaded himself in a room. A 40MM Launcher was deployed but not fired, and the subject was taken into custody without incident.	13
55	40MM Launcher	Officers assisted UC Police with a subject armed with two swords who ignored repeated commands. A 40MM Launcher was used, with a single foam-baton	7

		round fired; the subject was ultimately taken into custody and several weapons were recovered.	
56	FN 303 Launcher	Officers responded to a report of a subject in mental-health crisis who had cut herself before officers arrived. An FN 303 Launcher was deployed during negotiations but not used, and the contact was resolved.	1
57	Patrol Rifle	During a felony stop in Oakland of a carjacking vehicle whose occupant was possibly armed, a patrol rifle was deployed but not used, and the subjects were detained without incident.	Outside of Berkeley
58	Patrol Rifle	Officers responded to a report of a subject holding a rifle near a public roadway. A patrol rifle was deployed and pointed at the subject, who disobeyed commands and was taken into custody after a brief struggle; the item recovered was a firearm component.	8
59	40MM Launcher	Officers responded to a call regarding a subject with a knife inside a business. A 40MM Launcher was deployed but not used, and the subject was detained without incident.	3
60	40MM Launcher	Officers responded to a report of a subject brandishing and threatening a family member with a knife in their home. A 40MM Launcher was deployed due to the reported threat with a weapon; it was not used, and the subject was detained without incident.	7
61	Milkor LTL multi-Launcher	Officers responded to a report of a subject in mental-health crisis who was known to resist police. A Milkor LTL multi-Launcher (less-lethal) was deployed but not used, and the subject was detained without incident.	10
62	Mobile Command Vehicle (MCV)	The MCV was utilized as a command post during the 6 Cal Berkeley football games that took place in Berkeley.	7

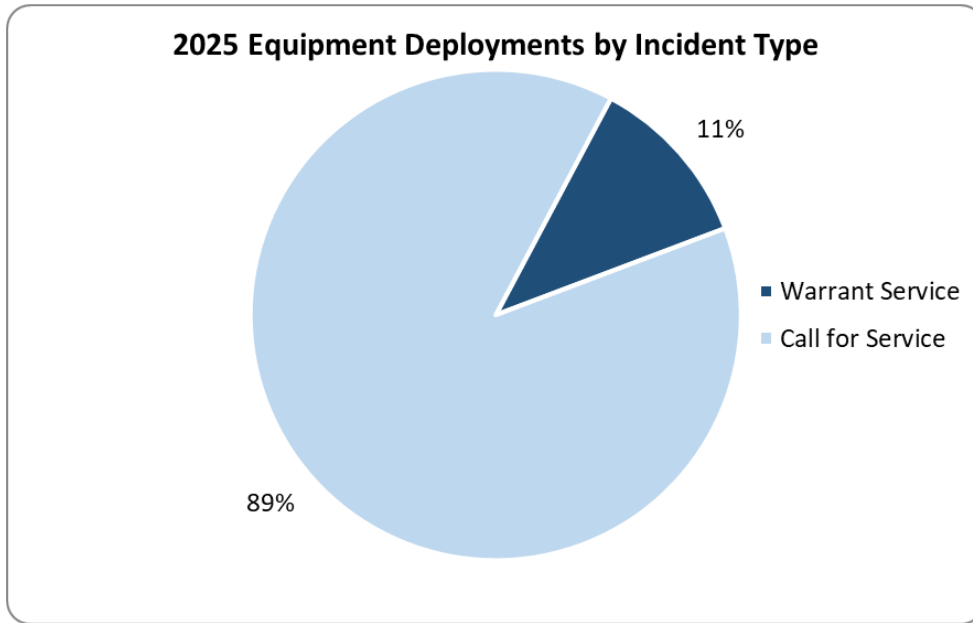
No additional internal audits were conducted beyond those performed to gather and confirm data for this report. BPD received one complaint pertaining to an incident that involved the use of police equipment. The resulting investigation is ongoing.

Deployment Statistics

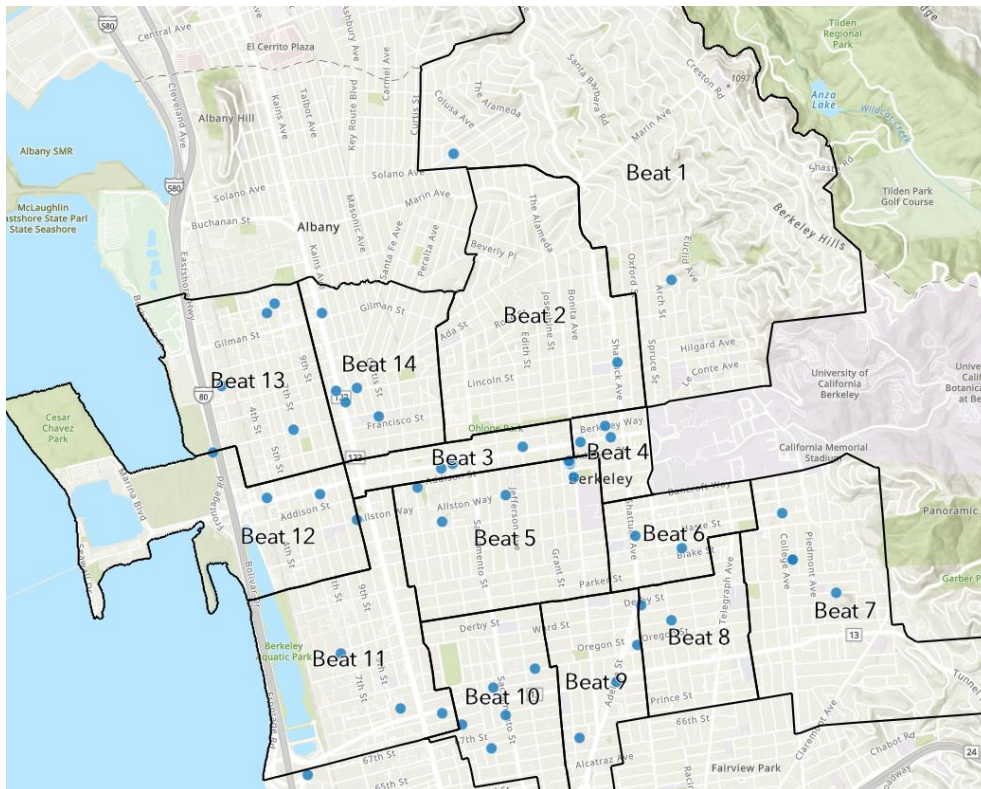
The table below displays the total number of deployments for each specified piece of equipment in 2025. Note that different types of equipment may be deployed in a single incident, and the same piece of equipment may be deployed by multiple officers during one incident.

<i>Equipment</i>	<i>Number of Deployment</i>
<i>Patrol Rifle</i>	31
<i>40MM Single Launcher</i>	34
<i>40MM LTL Multi-Launcher</i>	1
<i>FN 303 Launcher</i>	12
<i>FN Pava Impact Projectile</i>	0
<i>Oleoresin Capsicum Spray</i>	5
<i>Chlorobenzylidene Malononitrile and Oleoresin Capsicum</i>	0
<i>Precision Rifle</i>	1
<i>Light/Sound Diversionary Device</i>	3
<i>Long Range Acoustic Device</i>	2
<i>36" Batons</i>	0
<i>Barret Model 99</i>	0
<i>Mobile Command Vehicle</i>	7
<i>Recon Scout XT (throw-bot)</i>	2
<i>Andros Remotec HD-1 Robot</i>	0
<i>Drone</i>	4

The chart below shows the breakdown of uses by incident type.



The map below shows the locations of the equipment deployments by BPD in Berkeley (excluding the Mobile Command Post where the MCV is deployed near UC campus).



Fiscal Impact

Funding for all training and ongoing cost in military equipment are sourced from the Berkeley Police Department's existing budget. The only eligible equipment that was purchased in 2025 was .223 ammunition and .308 ammunition. The projected eligible equipment acquisitions in 2026 will be for .223 and .308 ammunition.

The Berkeley Police Department conducts in-house training on all specialized equipment that the department possesses. This ensures officers are fully trained to utilize the tools in the department's possession to safeguard our community. The cost of in-house training is staff time. Some of the training on specialized equipment must be conducted externally. The fiscal cost on external training related to military equipment in 2025 included expenses from Special Response Team training (\$1,811) and rifle and less lethal instructor training (\$5,198).

M4/Patrol Rifle

Rifle prices, like other firearms, will range depending on current market demand and availability. While M4 rifles purchased several years ago cost between \$1,000 and \$1,200 each, current rifles cost between \$1,400 and \$1,600. It should be expected that these prices will fluctuate and likely increase over time.

Ammunition costs fluctuate with the costs of components (brass, primers, gunpowder, and bullets) and supply/demand. Current costs for .223 Remington range from \$0.50 to \$0.75 a round for training ammunition (55 grain) and \$1.25 to \$1.50 a round for duty ammunition (62 grain). 35,000 rounds of .223 ammunition were acquired in 2025 with a fiscal impact of \$16,636.73.

Every officer that is authorized to carry a rifle on duty must attend a minimum 16-hour CA POST approved rifle instruction course before being authorized to carry the rifle on duty. This course may be administered by Berkeley Police Firearm Instructors or by other POST approved agencies. Tuition for the CA POST approved class is dependent on the hosting agency. If conducted in-house the cost only includes the officer's hourly wage, range fee, and ammunition costs (all vary). Outside agencies charge between \$25 to \$500 depending on the range location and duration (some classes are 32-hours while POST only requires 16-hours.) Additionally, all officers who are issued a rifle receive specific 8-hour rifle training every two years by POST certified Berkeley Police Department Firearm Instructors.

Typical round count for such classes range between 800 rounds and 1200 rounds per student. Additionally, all officers issued a rifle receive specific 8-hour rifle training every two years by a BPD firearm instructor which constitutes an additional 500 or so rounds per officer.

Maintenance costs vary depending on use over time. Traditionally, various springs and pins need to be replaced every five years and may cost between \$3 and \$30 per rifle. Other parts

such as the barrel and bolt need to be replaced around ten years and range between \$150 and \$300 per rifle.

Penn Arms 40MM Single Launcher

Penn Arms 40MM single Launchers purchased by the department cost \$815.00 each. Ongoing cost for Penn Arms single Launcher should be based on the projectiles used in training and on duty. This will fluctuate based on department trainings, projectile availability and events that unfold in the city and surrounding region.

Every officer authorized to deploy a less lethal Launcher must pass a certification course administered by a Berkeley Police Department Firearms Instructor. The certification class consists of classroom, range qualification and scenario application if the venue allows. This class is largely handled in house; thus, the cost only includes staff time, range fees, and projectile costs, which all vary.

Maintenance costs vary depending on use. Generally, various springs and pins need to be replaced every 5 years which can cost \$3 to \$30.

Milkor LTL Multi-Launcher

Milkor LTL Multi-Launchers purchased by the department cost \$3,950.00 each. The ongoing cost for the Milkor LTL Launcher should be based on the projectiles used in training and on duty. This will fluctuate based on department trainings, projectile availability and events that unfold in the city and surrounding region.

Every officer authorized to deploy a less lethal Launcher must pass a certification course administered by a Berkeley Police Firearm Instructor. The certification class consists of classroom, range qualification and scenario application if the venue allows. This class is largely handled in house; thus, the cost only includes the officer's hourly wage, range fees, and projectile costs which all vary.

Maintenance costs vary depending on use. Generally, various springs and pins need to be replaced every 5 years which can cost \$3 to \$30.

FN 303 and FN Pava Impact Projectile

FN 303s purchased by the department cost \$800.00 each. Ongoing cost associated with the FN303 Launcher should be based on the projectiles used in training and on duty. This will fluctuate based on department trainings, projectile availability and events that unfold in the city and surrounding region.

Every officer authorized to deploy a less lethal Launcher must pass a certification course administered by a Berkeley Police Firearm Instructor. The certification class consists of

classroom, range qualification and scenario application if the venue allows. This class is largely handled in house; thus, the cost only includes the officer's hourly wage, range fees, and projectile costs which all vary.

Maintenance costs vary depending on use. Generally, O-rings need to be replaced every 3,000 rounds and cost \$30 per kit.

Chlorobenzylidene Malononitrile and Oleoresin Capsicum ("tear gas")

The cost for CS canisters ranges from \$20.00 to \$39.00 per unit. The cost for OC canisters ranges from \$36.00 to \$44.00 per unit. Training is conducted by a Police Officer Standard Training (POST) certified Berkeley Police chemical agent training officer. The cost of training is staff time.

Remington 700 Rifle

The initial cost to purchase this rifle with its associated components is approximately \$10,000 dollars each. Their average life span is 10-years at which time it will likely need to be replaced. Ongoing cost for all firearms should be based on the ammunition used in training and on duty and maintenance. This will fluctuate based on training.

The cost associated with training is the staff time, range fees, and cost of spent ammunition. Special Response Team (SRT) members train once a month and, on average, each member shoots approximately 50-rounds. Currently, there are only 4 members shooting at each training day. This equates to approximately 2,400 rounds of ammunition being fired per year. This does not include special training days or attendance to training schools/classes. A single box of 20-rounds costs approximately \$20 dollars or \$1 dollar per round. Authorized and trained Berkeley Police armorers service and provide regular maintenance of the rifles. The cost of maintenance is staff time. In 2025, BPD purchased 500 rounds at a cost of \$656.81.

Barrett Model 99 Rifle

The retail cost of the Barrett Model 99 Rifle is approximately \$12,500. The Department of Justice provided the Barrett Modell 99 Rifle to the Berkeley Police Department in 2007. The ongoing cost related to this rifle is the cost of ammunition and training.

The ammunition has a retail cost of approximately \$6 dollars per bullet; \$60 for a box of 10 and \$600 for a case of 10 boxes, plus shipping and handling. The cost associated with training is the staff time, range fees, and cost of spent ammunition.

Light/Sound Distraction Device

Diversionsary Devices cost approximately \$45 per unit. Purchases for these tools are made when inventory becomes low, based upon critical incident usage and Special Response Team trainings that incorporate live devices.

Only trained and qualified personnel are permitted to deploy diversionsary devices. These trained Berkeley Police officers are typically members of the Berkeley Police Department Special Response Team who receive monthly training which includes training in the deployment of diversionsary devices. The cost of training is staff time.

Long Range Acoustic Device (LRADS)

The LRAD 450XL and the LRAD 100X were purchased in 2018. The total cost for both the LRADs, rechargeable battery packs and accessories was \$49,999. Training is conducted by Berkeley Police personnel who are trained in the use and procedures of the LRAD. The cost to train is staff time.

ReconRobotics Recon Scout XT

The initial cost for the Recon Scout XT robot was about \$12,500 per unit in 2010. There are no ongoing costs associated with the use of the Recon Scout XT robot. Being that it is battery operated, there is a nominal cost associated with charging the Recon Scout XT robot's batteries, and the batteries of the OCU (controller).

The Recon Scout XT robot is fairly simple to operate, thus there is no cost associated with training officers in its use. Generally, the Recon Scout XT robot is robust and does not need regular repair or service. The cost of training is staff time.

Andros Remotec HD-1 Hazardous Duty Robot

The Hazardous Duty Robot was purchased in 2008 for \$214,496. Being that it is battery operated, there is a nominal cost associated with charging the robot. Maintenance of the Hazardous Duty Robot is conducted by the Berkeley Police Bomb Technicians.

Berkeley Police Bomb Technicians are trained during regular bomb squad training sessions and maintain their skills through training scenarios. The cost of training and maintenance is limited to staff time.

Mobile Command Vehicle

The Mobile Command Vehicle was purchased in 2003 for \$230,800. The ongoing cost associated to the MCV is the cost of gasoline and maintenance of the vehicle. Both gasoline and maintenance are received at the City Corporation Yard. Training is conducted in-house, by the

Berkeley Police personnel, who are trained in the operation of the vehicle. The training cost is staff time.

The expected useful lifespan of the MCV was 15 years and was eligible for replacement in 2018. A replacement fund for the MCV currently amounts to approximately \$368,000. The vehicle is still in functioning, but may need to be replaced in the near future.