



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: ORD 26-004**

**May 19, 2026**

**Introduced:** 5/5/2026

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Ordinance

Adopt an Ordinance to:

a. Approve a military equipment use policy for the Office of the Sheriff pursuant to Assembly Bill 481.

b. Pursuant to the requirements of Assembly Bill 481 adopt a resolution determining that:

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 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 complies 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.

### RECOMMENDATION:

It is recommended that the Board of Supervisors Adopt an Ordinance to:

a. Approve a military equipment use policy for the Office of the Sheriff pursuant to Assembly Bill 481.

b. Pursuant to the requirements of Assembly Bill 481 adopt a resolution determining that:

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 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 complies 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.

SUMMARY/DISCUSSION:

On September 30, 2021, Governor Newsom signed into law Assembly Bill 481. AB 481 addresses the funding, acquisition, and use of items lawmakers deemed to be considered "military equipment." This bill requires law enforcement agencies, including the Office of the Sheriff, "to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined." The attached ordinance establishes a military equipment use policy by adding the attached "Military Equipment" policy to the Monterey County Sheriff's Office Policy Manual.

AB 481 also requires governing bodies to approve a military equipment use policy upon determining that:

- 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 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 complies 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.

AB 481 requires each law enforcement agency's governing body to adopt a written military equipment use policy by ordinance in a public meeting, in order to continue the use of previously acquired military equipment. The Office of the Sheriff's Draft Military Equipment Policy is attached here and is posted on the Sheriff's website.

The AB 481 defined list of military equipment currently in the Sheriff Department's possession is included in the draft Military Equipment Policy, as well as each items' purpose, authorized use, expected lifespan and fiscal impact. Also, in compliance with AB 481, and as a longstanding practice, the Sheriff's Office has processes in place for the public to submit commendations, questions, concerns, and complaints online or in person.

Also, in compliance with AB 481, the Sheriff's Office will prepare an Annual Report to include the use

of military equipment, any complaints received, any internal audits or other information about violations of its policy, the cost of such use and other similar information. The Annual Report was distributed via the MCSO public website in March, 2026.

New equipment under consideration by the Office of the Sheriff within the scope of Military Equipment Policy is one tethered drone, six drones identical or similar to existing equipment already in use, one or more additional Humvee style vehicles similar to existing equipment, one additional Lenco BearCat armored personnel carrier vehicle and One Rook Armored Caterpillar Multi-Terrain Loader.

FINANCING:

The cost of any military equipment is allocated with the Sheriffs budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Plan Goals:

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities
- Diverse and Thriving Economy
- Dynamic Organization and Employer of Choice

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Approved by: Tina M. Nieto, Sheriff/Coroner, Ext #3750

Attachments:

- Attachment A: CY2025 MCSO Annual Military Equipment Report
- Attachment B: Ordinance\_AB 481
- Attachment C: Resolution