



Legislation Details (With Board Report)

File #: 22-479 **Name:** Military Equipment Policy
Type: General Agenda Item **Status:** Passed
File created: 5/17/2022 **In control:** Board of Supervisors
On agenda: 5/24/2022 **Final action:** 5/24/2022
Title: a. Introduce, waive first reading, and set June 7, 2022, at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the Office of the Sheriff pursuant to Assembly Bill 481.
b. Provide direction to staff as appropriate.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A_Ordinance-AB-481.pdf, 3. Attachment B_Military Equipment Policy.pdf, 4. Presentation for Item No.pdf, 5. Completed Board Order Item No. 21

Date	Ver.	Action By	Action	Result
5/24/2022	1	Board of Supervisors	approved	Pass

a. Introduce, waive first reading, and set June 7, 2022, at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the Office of the Sheriff pursuant to Assembly Bill 481.
b. Provide direction to staff as appropriate.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Introduce, waive first reading, and set June 7, 2022, at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the Office of the Sheriff pursuant to Assembly Bill 481.
b. Provide direction to staff as appropriate.

SUMMARY:

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.

DISCUSSION:

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 first Annual Report will be distributed on or around May 2023.

OTHER AGENCY INVOLVEMENT:

Not applicable.

FINANCING:

The cost of any military equipment is allocated with the Sheriff's budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: John Thornburg, EOB Chief, Ext. #3801

Approved by: Steve Bernal, Sheriff/Coroner, Ext. #3750

Attachments:

Board Report

Attachment A_Ordinance-AB-481

Attachment B_Military Equipment Policy