



County of Monterey

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

Legislation Details (With Board Report)

File #: 24-308 **Name:** Ft. Hunter Liggett Jurisdiction
Type: General Agenda Item **Status:** Criminal Justice - Consent
File created: 4/22/2024 **In control:** Board of Supervisors
On agenda: 5/7/2024 **Final action:**
Title: Authorize the Monterey County Sheriff to sign a letter to the Department of the Army Corps of Engineers, on behalf of the County of Monterey for the retrocession of 165,000 acres of land at Fort Hunter Liggett. (REMOVED VIA SUPPLEMENTAL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Ft. Hunter Liggett Jurisdiction Letter.pdf, 3. Completed Board Order Item No. 32

Date	Ver.	Action By	Action	Result
5/7/2024	1	Board of Supervisors		

~~Authorize the Monterey County Sheriff to sign a letter to the Department of the Army Corps of Engineers, on behalf of the County of Monterey for the retrocession of 165,000 acres of land at Fort Hunter Liggett.~~
(REMOVED VIA SUPPLEMENTAL)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Authorize the Monterey County Sheriff to sign a letter to the Department of the Army Corps of Engineers, on behalf of the County of Monterey for the retrocession of 165,000 acres of land at Fort Hunter Liggett.

SUMMARY/DISCUSSION:

The Monterey County Sheriff's Office is requesting the Board of Supervisors authorize the Monterey County Sheriff to execute a letter to the Department of the Army Corps of Engineers, on behalf of the County of Monterey, for the retrocession of 165,000 acres of land at Fort Hunter Liggett.

Retrocessions of jurisdiction occurs when the United States returns all or part of the legislative jurisdiction previously ceded to it by California. In doing so, concurrent, or proprietary jurisdiction can be established. Retrocessions occur at the discretion of the United States and generally take place when there can be an enhancement of law enforcement or state services and benefits can be made available to persons living or working on a federal property.

When the state cedes concurrent jurisdiction, the United States and California exercise the same degree of civil and criminal legislative authority over the federal lands in question. Between 1961 and 1976, California ceded its legislative authority to establish exclusive jurisdiction with the United States.

The reason for this retrocession request is because there is not a federal system equivalent to the State systems for juvenile misconduct. The Army directed its installations to ensure that juvenile misconduct that occurs on installation can be adjudicated, preferably in those State systems.

In California, the solution appears to be ensuring concurrent legislative jurisdiction. Part of the process to

change the areas of exclusive jurisdiction on Fort Hunter Liggett (FHL) to concurrent is done by the State Lands Commission. The State Lands Commission wants a letter of concurrence from the County that they support the change.

There are no plans to downsize the police presence on FHL. While concurrent jurisdiction would mean that both the State or Federal Government would have the ability to prosecute crimes the federal government would continue to prosecute the crimes it already does.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved this letter as to form. The County of Monterey Board of Supervisors and the District Attorney's Office support this action.

FINANCING:

There is no impact to the General Fund contribution with this Action.

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: Arthur Curtright, Management Analyst III, Ext #3708

Reviewed by: Keith Boyd, Undersheriff, Ext #3859

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

Attachments:

Board Report

Ft. Hunter Liggett Jurisdiction Letter