



# County of Monterey

**Item No.**

## Board Report

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

**Legistar File Number: 23-835**

**November 07, 2023**

**Introduced:** 10/25/2023

**Current Status:** Scheduled AM

**Version:** 1

**Matter Type:** General Agenda Item

- a. Introduce, waive first reading, and set November 28, 2023, at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the District Attorney's Office pursuant to Assembly Bill 481.
- b. Provide direction to staff as appropriate.
- c. Receive the District Attorney's Office Annual Report regarding military equipment.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Introduce, waive first reading, and set November 28, 2023, at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the District Attorney's Office pursuant to Assembly Bill 481.
- b. Provide direction to staff as appropriate.
- c. Receive the District Attorney's Office Annual Report regarding military equipment.

### 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 District Attorney's Office, "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 District Attorney's Office Investigation Bureau 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 District Attorney's Office Military Equipment Policy is attached here and is posted on the District Attorney's website.

The AB 481 defined list of military equipment currently in the District Attorney Investigation Bureau's possession is included in the draft Military Equipment Policy. Also, in compliance with AB 481, and as a longstanding practice, the District Attorney's Office has processes in place for the public to submit commendations, questions, concerns and complaints online or in person.

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Also in compliance with AB 481, the District Attorney'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 was presented publicly on October 31, 2023, and is available to view on their website. There were no changes from last year.

OTHER AGENCY INVOLVEMENT:

Not applicable.

FINANCING:

The cost of any military equipment is allocated with the District Attorney'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

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Susan Blitch

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Approved by: Susan K. Blitch, Chief Assistant County Counsel, Ext. 5045

Attachments:

Draft Ordinance  
District Attorney Military Equipment Use Policy  
Monterey County District Attorney Presentation