

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, APRIL 26, 2022**

MINUTE ORDER NO. 9

**SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
NOTICED PUBLIC HEARING:
SHERIFF - AN ORDINANCE ADDING A NEW SECTION 449 TO ARTICLE
XXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE
ORDINANCES FOR APPROVAL OF SHERIFF'S MILITARY EQUIPMENT
USE POLICY (DISTRICTS: ALL)**

OVERVIEW

On April 5, 2022 (14), the Board of Supervisors took action to further consider and adopt the Ordinance on April 26, 2022.

On September 30, 2021, Governor Newsom signed into law Assembly Bill 481 (AB 481). Assembly Bill 481 is intended to increase transparency, accountability, and oversight surrounding the acquisition and use by state and local law enforcement agencies of equipment the state has identified as "military equipment." For law enforcement agencies such as the San Diego County Sheriff's Department that currently utilize equipment identified in the new law, AB 481 requires approval by the governing body for the continued use of the specific equipment no later than May 1, 2022.

Governing body approval under AB 481 must take the form of an ordinance adopting a publicly released, written military equipment use policy, which must address a number of specific topics, including the type, quantity, capabilities, purposes, and authorized uses of each type of equipment, the fiscal impact of their acquisition and use, the legal and procedural rules that govern their use, the training required by any officer allowed to use them, the mechanisms in place to ensure policy compliance, and the procedures by which the public may register complaints.

The department currently owns equipment that falls under the identified types as defined in AB 481. The listed equipment is used to respond to critical events and assist in de-escalation. The equipment increases the safety of law enforcement personnel and citizens. It allows access into difficult terrain and provides a variety of options for a safe and timely resolution of critical incidents county wide.

Today's request is for the Board of Supervisors to approve an ordinance relating to the military equipment use policy as required by California Assembly Bill 481. Note that per AB 481, the Sheriff's military use policy has been posted on the Sheriff's public website for 30 days.

RECOMMENDATION(S)

SHERIFF

Consider and adopt (second reading):

**AN ORDINANCE ADDING A NEW SECTION 449 TO ARTICLE XXV OF THE SAN DIEGO
COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF SHERIFF'S
MILITARY EQUIPMENT USE POLICY.**

EQUITY IMPACT STATEMENT

Public safety encompasses more than just the enforcement of the laws. The Sheriff's Department provides law enforcement services that aim to protect human rights, liberty, and security of person. It is the policy of the San Diego Sheriff's Department to be transparent in the purchase and use of equipment the state has defined as military equipment. Decisions regarding the use, procurement and funding of this equipment will take into consideration the public's welfare, safety, civil rights, and allow for public input. The department also strives for equitable outcomes in our communities, which means that the law enforcement services afford our communities a chance to lower crime and improve quality of life throughout the entire jurisdiction. Ensuring that everyone is provided public safety is essential for thriving communities. The department is committed to keeping our communities safe and as crime free as possible.

FISCAL IMPACT

There is no fiscal impact associated with today's requests to receive a presentation related to Assembly Bill 481 and consider and adopt an ordinance approving the San Diego County Sheriff's Department's Military Equipment Use Policy. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10777 (N.S.), entitled: AN ORDINANCE ADDING A NEW SECTION 449 TO ARTICLE XXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF SHERIFF'S MILITARY EQUIPMENT USE POLICY.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter