



AB 481

Military Equipment Use Policy

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AB 481 Overview

- **September 30, 2021:**
 - AB 481 was signed into law as Government Code sections 7070 – 7075
- **Legislative Intent:**
 - To increase public transparency by which all California law enforcement agencies fund, acquire, and/or use military equipment, as defined by AB 481.
- **Law Enforcement Agency Requirements:**
 - Present to the Board of Supervisors a Military Equipment Use policy.
 - Provide an annual report to the Board of Supervisors and the public after first year of adoption.
 - Hold at least one, well-publicized and conveniently located community engagement meeting prior to annual report.
- **Board of Supervisor Requirements:**
 - Approve a “Military Equipment” policy through the adoption of an ordinance.



AB 481 Overview (Cont.)

- **Board of Supervisor Role:**

- Approve a “Military Equipment” policy through the adoption of an ordinance.
- Per AB 481 (7071(d)), this approval will be granted if the Board determines the following:
 - The military equipment is necessary because there is not reasonable alternative that can achieve the same objective of officer and civilian safety.
 - The proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights, and civil liberties.
 - If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
 - Prior military equipment use complied with the military equipment 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.



Military Equipment as defined by AB 481

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
- (3) High mobility multipurpose wheeled vehicles (HMMWV)
- (4) Tracked armored vehicles
- (5) Command and control vehicles
- (6) Weaponized aircraft, vessels, or vehicles of any kind
- (7) Battering rams, slugs, and breaching apparatuses that are explosive in nature
- (8) Firearms of .50 caliber or greater
- (9) Ammunition of .50 caliber or greater
- (10) Specialized firearms and ammunition of less than .50 caliber (with the exception of standard issue service weapons)
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles
- (12) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls"
- (13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD)
- (14) 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
- (15) Any other equipment as determined by a governing body or a state agency to require additional oversight
- (16) Exempts equipment that is not controlled or prohibited by the Federal Defense Logistics Agency

* *Full definitions can be found in the legislation*



Sheriff's Office Equipment

- A draft Military Equipment Use policy is posted on the SCSO web site (www.sonomasheriff.org)

The screenshot shows the Sonoma County Sheriff's Office website. At the top is a banner with the word "EMERGENCY" and a fire truck. Below the banner is the header "SONOMA COUNTY SHERIFF'S OFFICE". A navigation menu follows with links: "/ NEW! EVACUATIONS / ABOUT US / COMMUNITY PROGRAMS / SERVICES / DISASTER INFORMATION / TY RESOURCES / RESOURCES / JOIN OUR TEAM / **POLICIES AND TRAINING** / EVENTS CALENDAR / CONTACT US". The "POLICIES AND TRAINING" link is circled in yellow. A line connects this link to a text box on the right that says "This link contains a copy of the draft policy with an attached inventory list." Another line connects the "POLICIES AND TRAINING" link to a list of policies on the left. A yellow arrow points to the "Military Equipment" link in this list.

SONOMA COUNTY SHERIFF'S OFFICE

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TY RESOURCES / RESOURCES / JOIN OUR TEAM / **POLICIES AND TRAINING** / EVENTS CALENDAR / CONTACT US

Policies and Training

Policies

The most requested policies are listed below. Click on each policy to read it. [Click here](#) to read all the Detention Division (Jail) policies. [Click here](#) to read all the Law Enforcement Division (Patrol) policies.

- [Bias-based Policing](#)
- [Body Worn Cameras and Audio Recorders](#)
- [Concealed Weapons \(CCW\) Policy](#)
- [De-Escalation](#)
- [Officer Involved Shootings and Deaths](#)
- [Homeless Persons](#)
- [Immigration Status](#)
- [Immigration Policy](#)
- [Prison Rape Elimination Act \(PREA\)](#)
- [Taser Use](#)
- [Use of Force](#)
- [Vehicle Pursuits](#)
- [Visiting Inmates](#)
- [Military Equipment](#)



Policies, Related Legislation, & Guidelines

Policies:

- **303:** Control Devices and Techniques
- **404:** Special Operations Unit
- **407:** Hostage and Barricade Incidents
- **606:** Unmanned Aerial Systems Operations (Drones)
- **705:** Armored Rescue Vehicle
- **706:** Mobile Command Center (MCC)
- **707:** Military Equipment

Legislation:

- **AB 48:** Crowd Control legislation

Guidelines:

- **POST:** Crowd Management, Intervention, and Control

** All policies can be located on the SCSO website*



Future Action

- The Sheriff's Office will bring this policy and ordinance back to the Board to adopt a resolution approving the Military Use policy. (Tentatively set for May 24th)
- Moving forward, the Sheriff's Office will:
 - Produce an annual update report each year beginning in 2023
 - Conduct community engagement regarding the use of "military equipment" prior to the annual report
 - Maintain a place on the website for people to ask questions, express concerns, or file complaints related to this policy.

Conclusion



- The Sheriff is requesting the board adopt a resolution introducing, reading the title of, and waiving the reading of an uncodified ordinance to approve a Military Use Policy pursuant to AB 481.