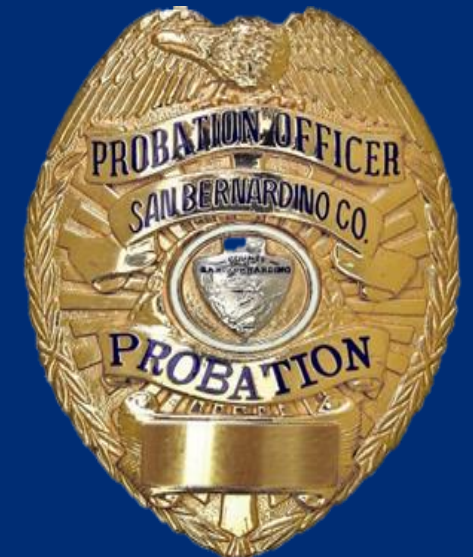




Sheriff/Coroner/Public Administrator
District Attorney's Office
Probation Department

ANNUAL REVIEW

Law Enforcement Military Equipment Funding, Acquisition, and Use
California Assembly Bill 481



May 6, 2025

www.SBCounty.gov



On January 1, 2022, Assembly Bill 481 (AB 481) became effective and:

- Added Government Code section 7070 et seq.
- Required law enforcement agencies (LE Agencies) and their local governing bodies to follow certain procedures prior to the funding, acquisition and use of military equipment by the LE Agencies
- Implemented the goal of safeguarding the public's welfare, safety, civil rights, and civil liberties upon the use of military equipment by LE Agencies

“Military Equipment” Defined

AB 481 defined certain LE equipment as “Military Equipment,” which includes but is not limited to:

- Drones/unmanned, remotely piloted, powered aerial or ground vehicles
- Armored personnel carriers
- Wheeled vehicles that have a breaching or entry apparatus attached
- Command and control vehicles used to facilitate the operational control and direction of public safety units
- Certain .50 caliber or greater firearms/ammunition



“Military Equipment” Defined



- Less than .50 caliber specialized firearms/ammunition, including assault weapons (except less than .50 caliber standard-issue service weapons/ammunition)
- Any firearm/firearm accessory designed to launch explosive projectiles
- Battering rams, slugs, and any breaching apparatus that is explosive in nature
- Flashbang grenades, explosive breaching tools, tear gas, and pepper balls
- Long-range acoustic devices
- Projectile launch platforms/munitions, including 40mm projectile launchers, bean bags, rubber bullets, and specialty impact munition weapons

Implementation of Assembly Bill 481

In March 2022, each San Bernardino County LE Agency created:

- A Military Equipment Use Policy
- An Annual Military Equipment Report

The documents were uploaded and publicly available on the LE Agencies' respective internet websites.



Each LE Agency's Military Equipment Use Policy and Annual Military Equipment Report described the following military equipment matters:

- Inventory, including type, quantity, capability, and expected lifespan
- Purposes and authorized uses
- Fiscal impact, including acquisition and maintenance costs
- Legal and procedural rules governing authorized use
- Training required prior to equipment use
- Procedures to ensure military equipment use policy compliance
- Public input procedures to register concerns and questions, and how the LE Agency shall respond

On April 26, 2022, the LE Agencies held a community engagement meeting where the public could discuss and ask questions about the Military Equipment Use Policies, Annual Military Equipment Reports, and the LE Agencies' funding, acquisition, or use of military equipment.

At a regular meeting, the Board of Supervisors (Board) considered an open-session agenda item regarding the LE Agencies' policies and reports (April 26, 2022; Item No. 74) that provided for public comment.

At this meeting, the Board adopted Ordinance Nos. 4428 (District Attorney), 4429 (Probation), and 4430 (Sheriff), approving each agency's policy and military equipment funding, acquisition, and use.

The Ordinances are subject to annual review.

In adopting the Ordinances, the Board found that the LE Agencies had complied with Government Code section 7071, subdivision (d), and that the military equipment:

- Was necessary because there was no reasonable alternative that could achieve the same objective of officer and civilian safety
- Use policies would safeguard the public's welfare, safety, civil rights, and civil liberties
- Was reasonably cost-effective compared to available alternatives that could achieve the same objective of officer and civilian safety

The Board also found that prior military equipment use had complied with any military equipment use policy that was in effect at the time.



LE Agencies must create and post their annual Military Equipment Reports to their public website

- Reports discuss the agency's military equipment use, inventory, and fiscal impact for the prior calendar year
- Within 30 days of publicly releasing the annual Military Equipment Reports, LE Agencies will hold a community engagement meeting where the public may discuss and ask questions about the annual reports and LE Agencies' funding, acquisition, and use of military equipment



April 7 & April 15, 2025

LE Agencies uploaded their
annual Military Equipment Reports for
January 1, 2024 through December 31,
2024

May 6, 2025

LE Agencies holding a public meeting during
regular BOS Board meeting

Pursuant to Government Code section 7071, subsection (e)(1), the Board shall annually, at a regular meeting and as an open session agenda item that provides for public comment:

- Evaluate and vote on whether it should renew the previously-adopted military equipment use Ordinances; and
- Determine whether each type of military equipment identified in the Annual Military Equipment Reports complies with Government Code section 7051, subdivision (d).

At the meeting on May 6, 2025, if the Board finds that any military equipment identified in a LE Agency's report does not comply with Government Code section 7071, subdivision (d), the Board shall then determine whether it will either:

- Disapprove renewal of authorization for that type of military equipment, or
- Require modifications to the agency's Military Equipment Use Policy that will resolve the lack of compliance.

Questions?

