

ORDINANCE NO. 3611

**AN UNCODIFIED ORDINANCE ADOPTING A MILITARY EQUIPMENT USE
POLICY FOR THE TULARE COUNTY DISTRICT ATTORNEY'S OFFICE.**

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE HEREBY FINDS
AND DECLARES THE FOLLOWING:

WHEREAS, Governor Gavin Newsom signed Assembly Bill 481 into law on September 30, 2021; and

WHEREAS, Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of their applicable governing body, by an ordinance adopting a military equipment use policy, prior to taking certain actions relating to the funding, acquisition, and use of military equipment; and

WHEREAS, Assembly Bill 481 allows the governing body of a county to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations; and

WHEREAS, the proposed military equipment use policy is found within Tulare County District Attorney Bureau of Investigations Policy Manual as Policy 706 – Military Equipment and the accompanying and attached Tulare County District Attorney's Office AB 481 Equipment List (collectively, "Policy 706"); and

WHEREAS, Tulare County District Attorney Bureau of Investigations Policy 706 was published on the Tulare District Attorney's Office website on April 29, 2022; and

WHEREAS, the military equipment identified in Tulare County District Attorney Bureau of Investigations Policy 706 is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety; and

WHEREAS, Policy 706 will safeguard the public's welfare, safety, civil rights, and civil liberties; and

WHEREAS, Policy 706 reflects tools that are reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and

WHEREAS, the Tulare County District Attorney Bureau of Investigations prior military equipment use complied with the policies that were in effect at the time.

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:


Section 1. The Tulare County District Attorney Bureau of Investigations Policy 706 and accompanying Tulare County District Attorney's Office AB 481 Equipment List attached hereto as **Exhibit A** and incorporated by reference constitutes the Board approved military equipment use policy of the Tulare County District Attorney Bureau of Investigations and is hereby adopted in its entirety pursuant to AB 481 and Section 7070 *et seq.*, of the California Government Code.

Section 2. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 28th day of June, 2022, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO,
TOWNSEND
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

COUNTY OF TULARE


By: 
Chair, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/
Clerk of the Board of Supervisors

By: 
Deputy Clerk



Approved as to Form:
County Counsel

By: 
Deputy
Matter # 2022474