

BEFORE THE BOARD OF SUPERVISORS
OF THE
COUNTY OF FRESNO, STATE OF CALIFORNIA

COUNTY OF FRESNO MILITARY EQUIPMENT)
USE POLICY) RESOLUTION
_____)

WHEREAS, Assembly Bill 481 requires that a law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body prior to requesting military equipment be made available, seeking funds for military equipment, acquiring military equipment either permanently or temporarily, collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body, using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body, soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment, or acquiring military equipment through any means not provided by the government code; and

WHEREAS, the proposed military equipment use policy must be considered and approved by the governing body as an agenda item for an open session of a regular meeting and provide for public comment in accordance with Government Code § 7071(c); and

WHEREAS, in seeking the approval of the Board of Supervisors, the Sheriff's Office and District Attorney's Office have submitted their proposed military equipment use policies to the governing body and make those documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue; and,

WHEREAS, the Board of Supervisors shall only approve a military equipment use policy if it determines all of the following: A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety, (B) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties, (C) If purchasing the equipment, the equipment is reasonably cost effective

1 compared to available alternatives that can achieve the same objective of officer and civilian safety,
2 (D) Prior military equipment use complied with the military equipment use policy that was in effect at
3 the time, or if prior uses did not comply with the accompanying military equipment use policy,
4 corrective action has been taken to remedy nonconforming uses and ensure future compliance.

5 NOW THEREFORE, BE IT RESOLVED that all the foregoing recitals are true and correct,
6 and the Board makes the following determinations, in accordance with Government Code § 7071(d):

- 7 1. The military equipment is necessary because there is no reasonable alternative
8 that can achieve the same objective of officer and civilian safety .
- 9 2. The proposed military equipment use policies will safeguard the public's welfare,
10 safety, civil rights, and civil liberties.
- 11 3. If purchasing the equipment, the equipment is reasonably cost effective compared
12 to available alternatives that can achieve the same objective of officer and civilian
13 safety.
- 14 4. Prior military equipment use complied with the military equipment use policies that
15 were in effect at the time, or if prior uses did not comply with the accompanying
16 military equipment use policies, corrective action has been taken to remedy
17 nonconforming uses and ensure future compliance.

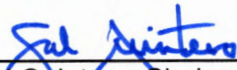
18 The foregoing was passed and adopted by the following vote of the Board of Supervisors of
19 the County of Fresno this 18th day of July, 2023, to wit:

20 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

21 NOES: None

22 ABSENT: None

23 ABSTAINED: None

24 

Sal Quintero, Chairman of the Board of Supervisors of
the County of Fresno

25 **ATTEST:**
26 Bernice E. Seidel
27 Clerk of the Board of Supervisors
County of Fresno, State of California

28 By: 

Deputy