

LEGISLATIVE DIGEST

[Administrative Code - Funding, Acquisition, and Use of Certain Sheriff's Department Equipment]

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment of the Sheriff's Department consistent with the criteria set forth in state law; and approving the Sheriff's Department's Use of Equipment Policy.

Existing Law

On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), codified in California Government Code Sections 7070 *et seq.*, requiring law enforcement agencies to obtain approval by ordinance of an equipment use policy to allow the use of particularly defined new or existing law enforcement equipment for a purpose, in a manner, or by a person not previously approved by the governing body. State law defines the specific equipment subject to this requirement, the minimum requirements for the policy, and the standards for the approval of the governing body.

On May 24, 2022, the Mayor introduced an ordinance to add Chapter 96G to the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain Police Department equipment. On July 11, 2022, the Rules Committee of the Board amended that ordinance to include approval of the Police Department's Use of Equipment Policy. That ordinance, in File No. 220641 of the Board of Supervisors, is still pending before the Board, and is scheduled for an additional hearing at the Rules Committee.

Amendments to Current Law

This ordinance would amend Administrative Code Chapter 96G to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain Sheriff's Department equipment. In addition, this ordinance would include Board of Supervisors approval of the Sheriff's Department's Use of Equipment Policy. As introduced, the codified portion of the ordinance in Board File No. 220641 is designated Chapter 96G, including Section 96G.1, but it is anticipated that the chapter and section numbers will be redesignated as Chapter 96H and Section 96H.1.