



VENTURA COUNTY SHERIFF'S OFFICE

Bill Ayub
Sheriff
Eric Dowd
Undersheriff

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December 13, 2022

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

Subject: **Ratification, Approval of, and Authorization for the Sheriff's Office to Use Approximately \$268,383 in Funds Designated by the California State Asset Forfeiture Trust Fund (N952-811H), and the United States Department of Homeland Security and California Fire Safe Council Grants to Purchase Items Designated by Ventura County Ordinance No. 4603 as Military Equipment; Approval of, and Authorization for the Sheriff or His Designee to Sign Agreements to Purchase Items Designated by Ventura County Ordinance No. 4603 as Military Equipment, Following Review and Approval by the County Executive Office and County Counsel. (RECOMMENDATION NO. 8 REQUIRES 4/5th VOTE).**

Recommendations:

It is recommended that your Board:

1. Approve and authorize the Sheriff's Office's use of approximately \$145,000 from the California State Asset Forfeiture Trust Fund N952, Account 811H, to purchase 60 Sionics SAR-15 Rifles during the FY22/23.
2. Approve and authorize the Sheriff's Office's use of approximately \$22,000 from the California State Asset Forfeiture Trust Fund N952, Account 811H, to purchase 8 Defense Technology 40mm Launchers with Expandable Stocks during the FY22/23.
3. Approve and authorize the Sheriff's Office's use of approximately \$55,000 from the California State Asset Forfeiture Trust Fund N952, Account 811H, to purchase 5 Aardvark Kinetic Breaching Tools during the FY 22/23.

4. Approve and authorize the Sheriff's Office's use of approximately \$4,600 from the U.S. Department of Homeland Security Grant to purchase 1 DJI Mavic 3 Enterprise Unmanned Aerial Vehicle during FY 22/23.
5. Approve and authorize the Sheriff's Office's use of approximately \$23,400 from the California Fire Safe Council's 2021 Wildfire Evacuation Route Planning and Development Grant to purchase 1 Freely Astro Map Unmanned Aerial Vehicle with Mapping Package during FY 22/23.
6. Ratify, approve and authorize the Sheriff's Office's use of \$18,343 from the U.S. Department of Homeland Security Emergency Management Performance Grant for the purchase of 1 DJI Matrice 30T Unmanned Aerial Vehicle during FY 21/22.
7. Approve, and authorize the Sheriff or his designee to sign agreements to purchase items designated by Ventura County Ordinance No. 4603 as military equipment, following review and approval by the County Executive Office and County Counsel.
8. Authorize the Auditor-Controller to process the accounting transactions necessary to establish appropriations and unanticipated revenue:

INCREASE 2500-2529 Fine Forfeitures and Penalties	\$80,000
INCREASE 2500-2529 Services and Supplies	\$25,000
INCREASE 2500-2529 Equipment-4601	\$55,000

Fiscal Mandates/Impact:

Mandatory:	No
Funding Match Required:	None
Impact on other Departments:	No additional impact
Source of Funding:	California State Asset Forfeiture Trust Fund N952, Account 811H, Department of Homeland Security and California Fire Safe Council Grants.

Summary of Revenue and Total Costs:	<u>FY2022/23</u>	<u>FY2023/24</u>
Revenue:	\$ 222,000	\$ 0
Costs:		
Direct	\$ 222,000	\$ 0
Indirect-Department	\$ 0	\$ 0
Indirect-CAP	\$ 0	\$ 0
Total Costs	\$ 222,000	\$ 0
Net Cost	\$ 0	\$ 0
Recovered Indirect Costs	\$ 0	\$ 0

Current Fiscal Year Budget Projections:

FY 22-23 Budget Projections for Sheriff's Police Services – Division 2500				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$183,337,190	\$211,940,897	\$211,940,897	0
Revenue	\$98,945,341	\$110,407,080	\$110,407,080	0
Net Cost	\$84,391,849	\$101,533,817	\$101,533,817	0

*\$142,000 appropriations are included in the FY22/23 adopted budget. Additional appropriations in FY 22/23 will be requested in a separate board letter for purchases funded by the Department of Homeland Security and California Fire Safe Council Grants.

Reasons For Ratification:

The Sheriff's Office seeks ratification of only the Sheriff's Office use of \$18,343 from the U.S. Department of Homeland Security Emergency Management Performance Grant for the purchase of 1 DJI Matrice 30T Unmanned Aerial Vehicle during FY 21/22. Due to grant purchasing deadlines, the Office of Emergency Services did not have time to seek Board approval prior to this purchase.

Discussion:

On May 24, 2022, your Board adopted Ventura County Ordinance 4603 pursuant to California Assembly Bill No. 481 (AB 481) which codified Chapter 12.8 to Division 7 of Title 1 of the Government Code, commencing with section 7070. The legislative intent behind AB 481 was to increase the public transparency by which California law enforcement agencies fund, acquire, and/or use "military equipment."

Ordinance 4603 requires the Sheriff's Office to obtain Board of Supervisors approval prior to taking certain actions relating to the funding, acquisition, and/or use of equipment defined by the ordinance as "military equipment." The term "military equipment" as used in Ordinance 4603 does not necessarily indicate equipment used by the military. The majority of the equipment defined by this ordinance and possessed by the Sheriff's Office is employed by most law enforcement agencies across the country to enhance citizen and officer safety. In addition, Ordinance 4603 requires the Sheriff's Office to submit to your Board an annual military equipment report in 2023, and annually thereafter so long as the military equipment is available for use. This report will address the quantity of each type of equipment possessed by the Sheriff's Office, the cost associated with the equipment, and a summary of how the equipment was used and whether any complaints or concerns were received about the equipment.

At this time, the Sheriff's Office requests that your Board authorize the use of approximately \$145,000 from the California State Asset Forfeiture Trust Fund to purchase 60 Sionics Patrol Rifles during the 22/23 fiscal year. Prior to 2020, the Sheriff's Office primarily issued military surplus M16 rifles to those deputies assigned to patrol and additional specialized assignments. These rifles were procured through the Defense Logistics Agency 1033 program. These are Vietnam era rifles that are heavy, cumbersome, and do not incorporate modern technology designed to keep our personnel safe. In 2020, the Sheriff's Office reviewed several rifle variants and related accessories as potential replacements for the military surplus rifles. After careful consideration, the Sionics Weapons System Patrol Rifle was selected as the standard issue patrol rifle for the Sheriff's Office. These 60 rifles will supplement the current supply of 2020 Sionics rifles and provide a sufficient supply to issue new rifles to those beginning their patrol training in 2023 while also allowing the Sheriff's Office to begin returning the 273 military surplus rifles to the federal government over the next 24 months.

The Sheriff's Office requests that your Board authorize the use of approximately \$22,000 from the California State Asset Forfeiture Trust Fund to purchase 6 Defense Technology LMT Tactical 4-Shot 40mm launchers and 2 Defense Technology LMT Tactical Single 40mm launchers with expandable stocks during the 22/23 fiscal year. In 2021, the Sheriff's Office identified the need for a less-lethal weapon that would be effective at a greater distance than the existing standard issued bean-bag shotguns in order to compel potentially violent suspects in a patrol setting to cease dangerous actions and comply with arrest while also reducing the potential for the use of lethal force. Several options were reviewed and the Defense Technology LMT 40mm launchers were selected as the best option. Four of these new launchers will be used to replace aging 40mm launchers assigned to the SWAT team. The other four will be provided to specialized teams who support patrol and investigative resources.

The Sheriff's Office requests that your Board authorize the use of approximately \$55,000 from the California State Asset Forfeiture Trust Fund to purchase 5 kinetic breaching tools during the 22/23 fiscal year. In 2021, the Sheriff's Office identified a more effective tool that was safer for deputies to use than the existing manual rams used to breach locked doors, gates, and security screens during the service of search warrants and other exigent circumstances. Several options were reviewed and the Aardvark kinetic breaching tool was selected as the best option. These 5 kinetic breaching tools will be used in support of the five that are already in use across the Sheriff's six patrol stations and in specialized assignments.

The Sheriff's Office requests that your Board authorize the use of approximately \$4,600 from the Department of Homeland Security Grant in order to purchase 1 DJI Mavic 3 Enterprise unmanned aerial vehicle during FY 22/23. The DJI Mavic is an unmanned, remotely piloted aerial vehicle that will be used by the Office of Emergency Services for disaster prevention preparedness, mitigation, response, and recovery.

The Sheriff's Office requests that your Board authorize the use of approximately \$23,400 from the California Fire Safe Council Grant in order to purchase 1 Freefly Astro Map Unmanned Aerial Vehicle with Mapping Package during FY 22/23. The Freefly Astro Map is an unmanned, remotely piloted aerial vehicle and mapping package that will be used by the Office of Emergency Services for disaster prevention, preparedness, mitigation, response, and recovery.

The Sheriff's Office also requests that your Board ratify the use of \$18,343 from the U.S. Department of Homeland Security Emergency Management Performance Grant for the purchase of 1 DJI Matrice 30T unmanned aerial vehicle made during FY 21/22. The DJI Matrice 30T is an unmanned, remotely piloted aerial vehicle that will be used by the Office of Emergency Services for disaster prevention, preparedness, mitigation, response, and recovery. Due to grant purchasing deadlines, the Office of Emergency Services did not have time to seek Board approval prior to this purchase.

The dollar amounts of the expenditures for the Sionics patrol rifles, Defense Technology LMT Tactical 40mm launchers, and Kinetic Breaching Tools are estimates based on the attached quotes (Exhibits 1-3). These purchases will be made with 100% revenue offsetting funds accumulated in the California State Asset Forfeiture Trust Fund N952, Account 811H.

The California State Asset Forfeiture Program allows authorized law enforcement agencies to receive a portion of funds seized pursuant to California Health and Safety Code 11489. Permissible uses include the support of operations that may result in furthering law enforcement's goals and mission, training, facilities, supplies, equipment, and services.

The dollar amounts of the expenditure for the DJI Mavic 3 Enterprise and Freefly Astro Map unmanned aerial vehicles are estimates based on the attached quotes (Exhibits 4-5). These purchases will be made from the Office of Emergency Services 22/23 budget with 100% offsetting funds accumulated in the U.S. Department of Homeland Security and California Fire Safe Council Grants.

The dollar amount of the expenditure for the DJI Matrice 30T unmanned, remotely piloted aerial vehicle is an accurate figure based on the attached purchase order (Exhibit 6). This purchase was made by the Office of Emergency Services with 100% offsetting funds accumulated in the U.S. Department of Homeland Security Emergency Management Performance Grant.

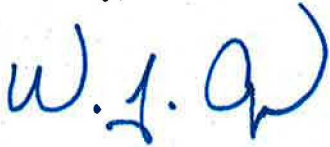
The Department of Homeland Security Emergency Management Performance Grant is federal funding provided to state, local, tribal, and territorial emergency management agencies with the resources required for implementation of the National Preparedness System and works toward the National Preparedness goal of a secure and resilient nation. The Sheriff's Office is one of the recipients of these funds. Permissible uses

support efforts to build and sustain core capabilities including disaster prevention, protection, mitigation, response, and recovery.

The California Fire Safe Council Wildfire Evacuation Route Planning and Development Grant is provided to county agencies to assist counties containing State Responsibility Area lands with planning and creating evacuation routes that can be used in the event of encroaching wildfires. The Sheriff's Office is one of the recipients of these funds. Permissible uses support technology, equipment, and infrastructure needed to implement, communicate, measure, and/or track project progress with planning and creating evacuation routes that can be used in the event of encroaching wildfires.

The Offices of the County Executive, Auditor-Controller and County Counsel have reviewed this letter. If you have any questions or need additional information, please contact Commander Jeff Miller.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. I. Ayub".

Bill Ayub
Sheriff

- Exhibit 1 – Sionics Quote for Rifles
- Exhibit 2 – Adamson Quote for 40mm Launchers
- Exhibit 3 – Aardvark Quote for Kinetic Breaching Tools
- Exhibit 4 – Advexure Quote for Mavic
- Exhibit 5 – Advexure Quote for Freefly
- Exhibit 6 – County of Ventura Purchase Order for Matrice